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1  
2 UNITED STATES DISTRICT COURT  
3 EASTERN DISTRICT OF NEW YORK

4 - - - - - EDWARD CARTER, FRANK FIORILO, X  
5 KEVIN LAMM, JOSEPH NOFI, and )  
6 THOMAS SNYDER, )  
7 )  
8 Plaintiffs, )  
9 )  
10 -against- )  
11 ) Index No.  
12 ) CV 07 1215

13 INCORPORATED VILLAGE OF OCEAN )  
14 BEACH; MAYOR JOSEPH C. )  
15 LOEFFLER, JR., individually )  
16 and in his Official capacity; )  
17 former mayor NATALIE K.ROGERS, )  
18 individually and in her )  
19 official capacity, OCEAN BEACH )  
20 POLICE DEPARTMENT; ACTING )  
21 DEPUTY POLICE CHIEF GEORGE B. )  
22 HESSE, individually and in his )  
23 official capacity; SUFFOLK )  
24 COUNTY; SUFFOLK COUNTY POLICE )  
25 DEPARTMENT OF CIVIL SERVICE; )  
and ALLISON SANCHEZ, )  
individually and in her )  
official capacity, )  
16 )

Defendants. )

17 - - - - - X  
18 DEPOSITION OF PAUL CAROLLO  
19 New York, New York  
20 August 11, 2009  
21  
22  
23

24 Reported by:  
25 Judi Johnson, RPR, CRR, CLR  
Job No.: 24107

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1  
2 926 RexCorp Plaza  
3 Uniondale, New York  
4

5 August 11, 2009  
6 1:30 P.M.  
7  
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9  
10  
11  
12

13 Deposition of PAUL CAROLLO, held at  
14 the offices of RIVKIN RADLER, LLP, 926  
15 RexCorp Plaza, Uniondale, New York, pursuant  
16 to Notice, before Judi Johnson, a Registered  
17 Professional Reporter, a Certified Realtime  
18 Reporter, a Certified LiveNote Reporter and  
19 Notary Public of the State of New York.

20  
21  
22  
23  
24  
25 TSG Reporting - Worldwide (877) 702-9580

1 PAUL CAROLLO  
2 APPEARANCES:  
3 THOMPSON WIGDOR & GILLY, LLP  
4 Attorneys for the Plaintiffs  
5 85 Fifth Avenue  
6 New York, New York 10003  
7

8 BY: ARIEL GRAFF, ESQ.  
9  
10 MARKS, O'NEILL, O'BRIEN & COURTNEY, P.C.  
11 Attorneys for GEORGE B. HESSE  
12 530 Saw Mill Road  
13 Elmsford, New York 10523  
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15  
16 BY: KEVIN W. CONNOLLY, ESQ.  
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18 RIVKIN RADLER, LLP  
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20 Attorneys for INCORPORATED VILLAGE OF OCEAN BEACH,  
21 JOSEPH LOEFFLER, NATALIE ROGERS AND OCEAN BEACH  
22 POLICE DEPARTMENT  
23 926 RexCorp Plaza  
24 Uniondale, New York 11556-0926  
25 BY: KENNETH A. NOVIKOFF, ESQ.

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1 PAUL CAROLLO  
2 APPEARANCES CONTINUED:  
3 BEE READY FISHBEIN HATTER & DONOVAN, LLP  
4

5 Attorneys for SUFFOLK COUNTY  
6 170 Old Country Road  
7 Mineola, New York 11501  
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9 BY: (NOT PRESENT)  
10  
11 SUFFOLK COUNTY DEPARTMENT OF LAW  
12

13 Attorneys for the County  
14 100 Veterans Memorial Highway  
15 Hauppauge, New York 11788  
16

17 BY: (NOT PRESENT)  
18  
19 ALSO PRESENT:  
20 FRANK FIORILLO  
21  
22  
23  
24  
25

1 PAUL CAROLLO  
2 IT IS HEREBY STIPULATED AND AGREED by  
3 and between the attorneys for the respective  
4 parties herein, that filing and sealing and  
5 the same are hereby waived.

6 IT IS FURTHER STIPULATED AND AGREED  
7 that all objections, except as to the form  
8 of the question, shall be reserved to the  
9 time of the trial.

10 IT IS FURTHER STIPULATED AND AGREED  
11 that the within deposition may be sworn to  
12 and signed before any officer authorized to  
13 administer an oath, with the same force and  
14 effect as if signed and sworn to before the  
15 Court.

16  
17 - ooo -  
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1 PAUL CAROLLO

2 PAUL CAROLLO,

3 Called as a witness herein, having  
4 first been duly sworn, was examined and  
5 testified as follows:

6 BY THE REPORTER:

7 Q Please state your name and address for  
8 the record.

9 A Paul Carollo, 20 Gaymor Lane, Commack, 1:48:19PM  
10 New York 11725.

11 THE WITNESS: I just want to state 1:49:10PM  
12 that I have not been given an attorney  
13 because I am not an employee of the village.  
14 I'm not a named defendant in the case. Is  
15 that true?

16 MR. NOVIKOFF: I'm sorry, are you 1:49:36PM  
17 making a statement or are you asking a  
18 question?

19 THE WITNESS: Both. 1:49:40PM

20 MR. NOVIKOFF: This is really -- 1:49:41PM

21 MR. GRAFF: Should we maybe go off of 1:49:43PM  
22 the record to discuss it?

23 THE WITNESS: I'd like to stay on the 1:49:47PM  
24 record.

25 MR. NOVIKOFF: That is something 1:49:49PM

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1 PAUL CAROLLO

2 between you and the village. That's not  
3 between you and me.

4 THE WITNESS: Understood. 1:49:54PM

5 The second thing I'd like to ask a 1:49:54PM  
6 question, what is it that the District  
7 Attorney's office is involved in in the  
8 case?

9 MR. NOVIKOFF: I don't know. Maybe 1:50:01PM  
10 Ari knows.

11 MR. GRAFF: Tangentially with some 1:50:04PM  
12 documents there were an issue. Mr. Connolly  
13 and I discussed it very briefly,  
14 non-substantively before we started.

15 MR. NOVIKOFF: If you listen to the 1:50:16PM  
16 D.A., they're still investigating --

17 THE WITNESS: I haven't. That's why 1:50:18PM  
18 I'm asking the question.

19 MR. NOVIKOFF: According to the D.A.'s 1:50:19PM  
20 submission, they're still investigating the  
21 village. So I don't have an idea what  
22 they're investigating. So use that  
23 information however you want to use it. But  
24 according to the D.A., there's still ongoing  
25 investigations. Into what, I don't know.

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1 PAUL CAROLLO

2 Is that a fair representation of what 1:50:36PM  
3 the D.A. said?

4 MR. GRAFF: That's as far as I 1:50:40PM  
5 understand, yeah.

6 EXAMINATION 1:50:41PM

7 BY MR. GRAFF: 1:50:44PM

8 Q Again, to introduce myself for the 1:50:45PM  
9 record, Mr. Carollo. I know we've met briefly  
10 before.

11 THE WITNESS: Something humorous? 1:50:50PM

12 MR. NOVIKOFF: What's that? You can 1:50:52PM  
13 stay on the record. If you got a problem --

14 THE WITNESS: I don't have a problem. 1:50:59PM

15 MR. NOVIKOFF: Then answer the 1:51:00PM  
16 questions of Mr. Graff, and then you answer  
17 my questions, or you can leave. I mean, the  
18 choice is yours, Mr. Carollo. What I say to  
19 Mr. Connolly or how I look at Mr. Connolly  
20 is between me and Mr. Connolly. It has  
21 nothing to do with you.

22 THE WITNESS: I'm sitting here as a 1:51:14PM  
23 witness.

24 MR. NOVIKOFF: If you want to ask me 1:51:16PM  
25 questions in whatever tone you want to as me

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2 questions, then by all means do so. I  
3 didn't ask you for this deposition.

4 THE WITNESS: I understand that. 1:51:20PM

5 MR. NOVIKOFF: It's Mr. Graff's 1:51:21PM  
6 deposition. As far as I'm concerned, you  
7 can go and we can go our merry way.

8 BY MR. GRAFF: 1:51:27PM

9 Q As Mr. Novikoff mentioned, generally 1:51:28PM  
10 the way the depositions work is that the person

11 who scheduled the deposition asks a series of  
12 questions. After that part is concluded, the  
13 other lawyers representing other parties will  
14 have a chance to ask you some questions also.  
15 Then I might have a little follow-up. And that  
16 will be the sequence. Mr. Novikoff and  
17 Mr. Connolly might object to certain specific  
18 questions that I ask. Those objections are for  
19 the record. You're still free to answer the  
20 questions. They shouldn't guide you or limit or  
21 influence the question that's posed to you.  
22 That's for their clients and for the record.

23 Just a couple of procedural things 1:52:17PM  
24 before we get into more substantive issues. You  
25 can see the court reporter is here. She's

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1 PAUL CAROLLO

2 taking down verbatim, word for word, what's  
3 said. To make sure that there's a clean and  
4 clear transcript for the questions and answers  
5 today, it's important just that you let me or  
6 later Mr. Novikoff finish a question before you  
7 start answering, and I'll do my very best to  
8 make sure you're finished responding before I  
9 ask another question. That way we won't be  
10 speaking over each other.

11 MR. NOVIKOFF: Or Mr. Connolly. 1:52:51PM

12 MR. GRAFF: Of course. 1:52:53PM

13 BY MR. GRAFF: 1:52:53PM

14 Q Also because of the reporter, it's 1:52:56PM  
15 important to give all of the answers verbally.  
16 Nods, shakes of the head obviously can't be  
17 transcribed. If you don't hear a question or  
18 don't understand a question, please let me know  
19 right away. If I ask a question and you answer  
20 it, I'll assume that you heard it and understood  
21 it.

22 Does that seem fair? 1:53:18PM

23 A Uh-huh. Yes. 1:53:20PM

24 Q If at some point over the course of 1:53:21PM  
25 this afternoon you would like to go back and add

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2 or correct an answer that you gave to an earlier  
3 question, that's absolutely fine. Just let me  
4 know. We can do that at any time.

5 If at any point you'd like to take a 1:53:38PM  
6 break for whatever reason, we can also do that.

7 Let me know. I'll be happy to take a break  
8 whenever you'd like to.

9 Are you presently taking any 1:53:53PM  
10 medications or under a doctor's care for any  
11 illness that could affect your ability to  
12 testify truthfully and completely today?

13 MR. NOVIKOFF: Objection to form. 1:54:03PM

14 A No. 1:54:06PM

15 Q Have you consumed any controlled 1:54:07PM  
16 substances or narcotics in the last 24 hours?

17 A No. 1:54:13PM

18 Q Have you had any alcoholic beverages 1:54:13PM  
19 in the last 24 hours?

20 A No. 1:54:17PM

21 Q Is there any reason you can think of 1:54:23PM  
22 that you wouldn't be able to answer the  
23 questions truthfully and completely today?

24 A No. 1:54:28PM

25 Q You had mentioned earlier today that 1:54:35PM

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1 PAUL CAROLLO

2 you're not represented by an attorney. That's  
3 correct in connection with this deposition?

4 A Yes. 1:54:41PM

5 MR. GRAFF: I'm going to ask the court 1:54:47PM

6 reporter to mark as Exhibits 1 and 2.

7 Exhibit 1 is a subpoena dated May 12th,

8 2009. Exhibit 2 is a subpoena dated

9 July 24th, 2009.

10 (Whereupon, a subpoena dated May 12th, 1:55:04PM

11 2009 was marked as Plaintiff's Exhibit 1 for

12 identification, as of this date.)

13 (Whereupon, a subpoena dated July 1:55:15PM

14 24th, 2009 was marked as Plaintiff's

15 Exhibit 2 for identification, as of this

16 date.)

17 BY MR. GRAFF: 1:55:54PM

18 Q Mr. Carollo, when you've had a chance 1:55:54PM  
19 to look at those two documents, can you tell me  
20 if you recognize that document marked as  
21 Exhibit 1? (Handing.)

22 A Not without having the one I have with 1:56:11PM  
23 me. I have to make an assumption.

24 Q Okay. And what about Exhibit 2? 1:56:17PM

25 A It would be the same, I'm not 1:56:23PM

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2 looking -- I don't have the ones that I had  
3 received, so I can't say that those are exactly  
4 the same.

5 Q Okay. And just to be clear for the 1:56:34PM  
6 record, you're here for this deposition today in  
7 response to one or both of these subpoenas?

8 MR. NOVIKOFF: Objection. 1:56:42PM

9 A A subpoena. 1:56:42PM

10 Q And that was a subpoena issued from 1:56:43PM  
11 our office?

12 A Yes. 1:56:47PM

13 Q Thank you. 1:56:48PM

14 You had mentioned early on that you 1:56:49PM  
15 and I had spoken prior to today. Since the  
16 other attorneys in the room weren't privy to  
17 those conversations, I'm going to ask a few  
18 questions about what you and I discussed for the  
19 record so it can be clear.

20 A Okay. 1:57:06PM

21 Q Do you recall how many times we've 1:57:08PM  
22 spoken?

23 A No. More than twice. Probably more 1:57:11PM  
24 than three times, I would say.

25 Q And what was the substance of those 1:57:17PM  
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1 PAUL CAROLLO

2 conversations, as best you can recall?

3 A Setting up the time schedule and my 1:57:24PM  
4 position with an attorney.

5 Q And do you recall when you first 1:57:33PM  
6 received a subpoena it set your deposition for a  
7 date that was postponed?

8 A Yes. 1:57:39PM

9 Q When you received the subpoena the 1:57:39PM  
10 second time, that deposition date was also  
11 postponed?

12 A Yes. 1:57:46PM

13 Q And do you know why the depositions 1:57:52PM  
14 were postponed?

15 A I didn't have an attorney. 1:57:56PM

16 Q And between the deposition that had 1:57:57PM  
17 been scheduled and the second subpoena and  
18 today, did you make any efforts to retain an  
19 attorney?

20 A Yes -- no, I wouldn't say I made -- I 1:58:10PM  
21 investigated the situation. I don't know that I  
22 necessarily personally could afford an attorney.  
23 So I would say that I looked into what my  
24 options were to be able to get the village to  
25 pay for my attorney.

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1 PAUL CAROLLO

2 which I didn't know it was even coming. I saw  
3 Ken Gray in court where I work and had a  
4 conversation with him about it, and he said -- I  
5 said, you know, no one sent me anything. No one  
6 told me anything. So he sent me a letter  
7 stating I was denied an attorney from the  
8 village. And then that was just before our  
9 second subpoena -- no, it was probably after the  
10 second subpoena but before -- sometime last  
11 week. Then I looked into finding out if there  
12 was -- if I had any legal aspect to, you know,  
13 get the village to supply an attorney.

14 Q Okay. And in any of the conversations 2:00:24PM  
15 that you and I had, did I ask you any questions  
16 about your work at Ocean Beach?

17 A About my work at Ocean Beach? 2:00:35PM

18 Q Yes. 2:00:37PM

19 A No. 2:00:37PM

20 Q Did I ask you any questions about 2:00:37PM  
21 George Hesse?

22 A No. 2:00:41PM

23 Q Did I ask you any questions about any 2:00:41PM  
24 of the plaintiffs in this case?

25 A No. 2:00:46PM

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2 Q Did you speak to someone at the 1:58:28PM  
3 village about --

4 A I made -- ask it again. 1:58:32PM

5 Q Did you speak to anybody at the 1:58:35PM  
6 village about obtaining an attorney for this  
7 deposition?

8 A Yes. I called the mayor a few times, 1:58:40PM  
9 and he didn't return the call. And then Ken  
10 Gray I spoke to, and he said he would request an  
11 attorney from the insurance company.

12 Q And when did that conversation with 1:58:51PM  
13 Mr. Gray happen?

14 A Sometime back after the first 1:58:55PM  
15 deposition -- after the first subpoena.

16 Q Okay. Did Mr. Gray or anyone else for 1:59:00PM  
17 the village explain to you at any point why they  
18 were not obtaining an attorney for you?

19 A Prior to the second subpoena? 1:59:12PM

20 Q At any point. 1:59:13PM

21 A Recently I received -- no. 1:59:14PM  
22 Actually -- no. He sent me a letter that I  
23 requested because no one told me anything. I  
24 thought it was probably even over with, and I  
25 didn't hear for -- until the next subpoena,

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2 Q Did I explain to you at all what kind 2:00:47PM  
3 of questions I was going to be asking you at the  
4 deposition?

5 A No. 2:00:56PM

6 Q Did I suggest to you what kind of 2:00:57PM  
7 testimony we might be hoping to elicit at the  
8 deposition?

9 A No. 2:01:04PM

10 Q I notice that there's a copy of the 2:01:10PM  
11 Complaint in this case that's on the table in  
12 front of you. Can I ask where you obtained  
13 that?

14 A One of the attorneys that I've spoken 2:01:17PM  
15 to.

16 Q And could I ask which attorney that 2:01:19PM  
17 is -- withdrawn.

18 Is that an attorney that you had 2:01:26PM  
19 consulted with but did not retain?

20 A Yes. 2:01:29PM

21 Q And I believe that you had asked me 2:01:30PM  
22 for a copy of the Complaint; is that correct?

23 A Yes. 2:01:35PM

24 Q And did I give it to you? 2:01:35PM

25 A No. 2:01:37PM

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1 PAUL CAROLLO  
2 Q Did I explain why? 2:01:37PM  
3 A Yes. 2:01:38PM  
4 Q And as best you recall, why did I say 2:01:39PM  
5 that I didn't want to give you the complaint?  
6 A You felt it would be a conflict of 2:01:44PM  
7 interest or something to that effect.  
8 Q Okay. Other than scheduling issues 2:01:48PM  
9 and your efforts to try to arrange for a lawyer,  
10 can you think of anything else that you and I  
11 discussed prior to today?  
12 A No. 2:02:03PM  
13 Q As far as you know, other than 2:02:06PM  
14 speaking to me, did you speak to anyone else in  
15 my law firm?  
16 A Originally, I can't remember his name. 2:02:11PM  
17 I spoke to someone else.  
18 Q If I said the name Andrew Goodstadt, 2:02:15PM  
19 would that be --  
20 A Yeah, that's it. 2:02:18PM  
21 Q Other than myself and Mr. Goodstadt, 2:02:19PM  
22 do you know of anyone else you spoke with at my  
23 firm?  
24 A No. 2:02:24PM  
25 Q Did you actually have a conversation 2:02:25PM  
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1 PAUL CAROLLO  
2 Ocean Beach?  
3 A Entered the academy in October of 2:03:41PM  
4 2003, something to that effect.  
5 Q And do you recall when your first 2:03:47PM  
6 actual on duty at Ocean Beach was?  
7 A Sometime I guess in May 2004. 2:03:55PM  
8 MR. NOVIKOFF: May of 2004? 2:03:59PM  
9 THE WITNESS: Yes. 2:04:01PM  
10 BY MR. GRAFF: 2:04:02PM  
11 Q What position did you hold when you 2:04:02PM  
12 started working in May 2004?  
13 A Police officer. 2:04:06PM  
14 Q And did you -- when was your last day 2:04:18PM  
15 working at Ocean Beach?  
16 A I did a training class December of 2:04:28PM  
17 '08.  
18 Q And were you a police officer at that 2:04:39PM  
19 time?  
20 MR. NOVIKOFF: Objection. 2:04:42PM  
21 A I -- yeah, I guess so. I don't know, 2:04:45PM  
22 you know, what the village had me as. Is that  
23 your question? I mean it was a training class.  
24 I wasn't working. I had no firearm or anything.  
25 Q Were you paid a salary? 2:04:57PM  
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1 PAUL CAROLLO  
2 with Mr. Goodstadt?  
3 A I guess after the first subpoena, I 2:02:36PM  
4 may have spoken to him about the attorney  
5 situation. We never had much of a conversation.  
6 I think maybe he called once or twice, something  
7 like that.  
8 Q Other than your trying to find an 2:02:47PM  
9 attorney, was there anything else to the  
10 substance of your conversation with  
11 Mr. Goodstadt?  
12 A No. 2:02:55PM  
13 Q Are you currently employed? 2:02:58PM  
14 A Yes. 2:03:01PM  
15 Q And where do you work? 2:03:02PM  
16 A New York State courts. 2:03:05PM  
17 Q What's your position at New York State 2:03:07PM  
18 court?  
19 A Court officer. 2:03:09PM  
20 Q And do you work at a particular 2:03:10PM  
21 courthouse?  
22 A Hempstead. 2:03:16PM  
23 Q How long have you held that position? 2:03:19PM  
24 A Ten years. 2:03:21PM  
25 Q When did you first begin working for 2:03:29PM  
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1 PAUL CAROLLO  
2 A Yes, I was paid. 2:04:58PM  
3 Q And from May -- beginning in May 2004, 2:05:00PM  
4 were you a seasonal police officer at Ocean  
5 Beach?  
6 A Before May? 2:05:10PM  
7 Q When you started work nothing May 2:05:11PM  
8 2004, at that time, were you hired on a seasonal  
9 basis?  
10 A I don't know what I was exactly hired. 2:05:21PM  
11 I wasn't full-time. I mean there's different  
12 breakdowns. I don't know them. I'm not exactly  
13 sure what I was classified as. All I can say is  
14 not full-time.  
15 Q And when you worked part-time, how 2:05:31PM  
16 many hours a week were you working in May 2004?  
17 MR. NOVIKOFF: Objection. 2:05:38PM  
18 A I think I was working -- I don't know, 2:05:44PM  
19 I may have started with two shifts. So 16  
20 hours. Sixteen to 24 hours, I guess.  
21 Q And after the summer of 2004, did you 2:05:52PM  
22 continue working as a police officer at Ocean  
23 Beach?  
24 A I don't think I worked that winter at 2:05:59PM  
25 all.  
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1 PAUL CAROLLO  
2 Q And what about the summer of 2005? 2:06:02PM  
3 A Yes. 2:06:06PM  
4 Q You worked at Ocean Beach? 2:06:07PM  
5 A Yes. 2:06:08PM  
6 Q And after the summer of 2005, once the 2:06:09PM  
7 summer was over, did you work at all that winter  
8 or the other seasons of 2005?  
9 A I think I worked Sundays 4 to 12 after 2:06:19PM  
10 2005.  
11 Q And in the summer of 2006, did you 2:06:25PM  
12 work as a police officer at Ocean Beach?  
13 A 2006, yes. 2:06:31PM  
14 Q And then what about once the summer 2:06:35PM  
15 was over, did you work in the fall or winter  
16 2006?  
17 A I think I still did a 4 to 12 on 2:06:40PM  
18 Sundays.  
19 Q And then the summer of 2007, were you 2:06:48PM  
20 working as a police officer at Ocean Beach?  
21 A No. 2:06:52PM  
22 Q Was there a specific point in time 2:06:53PM  
23 when you stopped working?  
24 A March of 2007. 2:06:58PM  
25 Q And why did you stop working as a 2:07:05PM  
  
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1 PAUL CAROLLO  
2 MR. GRAFF: I appreciate it. 2:08:03PM  
3 MR. NOVIKOFF: I'm respectfully at a 2:08:05PM  
4 loss to understand as to why Mr. Carollo is  
5 here. But whether I'm lost or not is  
6 irrelevant. You've called this witness. I  
7 think if you're going to go into that  
8 subject area, you know my position on it.  
9 It seems like this witness will probably not  
10 answer any of your questions. So either you  
11 want to address it with the judge now or  
12 address it with the judge when we see him in  
13 September or just move on to other subject  
14 areas. That's my only respectful  
15 suggestion.  
16 MR. GRAFF: I understand that. 2:08:38PM  
17 MR. CONNOLLY: What you may be able to 2:08:40PM  
18 do is make this general, will you respond to  
19 questions regarding this area.  
20 BY MR. GRAFF: 2:08:50PM  
21 Q Will you respond to questions 2:08:51PM  
22 concerning the circumstances that led to your  
23 stopping work at Ocean Beach?  
24 A No. I think without counsel, I'd be 2:09:02PM  
25 foolish to do that.  
  
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1 PAUL CAROLLO  
2 police officer at Ocean Beach at that time?  
3 A I don't know if that's a question I 2:07:12PM  
4 should answer. I think everybody in the room  
5 knows it, but --  
6 Q Will you answer that question? 2:07:23PM  
7 MR. NOVIKOFF: I think he just said he 2:07:25PM  
8 doesn't think he wants to answer that  
9 question.  
10 A No, I don't want to answer the 2:07:29PM  
11 question.  
12 Q Why would you -- 2:07:31PM  
13 MR. NOVIKOFF: I think if he answers 2:07:34PM  
14 that question, he'll tell you why he can't  
15 answer the other question.  
16 BY MR. GRAFF: 2:07:39PM  
17 Q Are you able to explain the basis for 2:07:39PM  
18 not wanting to answer that?  
19 A I think it's in my best interest not 2:07:43PM  
20 to.  
21 Q We'll come back to that. 2:07:49PM  
22 When you first -- 2:07:57PM  
23 MR. NOVIKOFF: Actually, I don't mean 2:07:58PM  
24 to interrupt, and I'm trying very hard, as  
25 you can tell.  
  
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1 PAUL CAROLLO  
2 Q Are there any other subject areas that 2:09:05PM  
3 you can think of that you won't want to answer  
4 questions about?  
5 A Not that I can think of at the moment. 2:09:15PM  
6 Q At some point I'm going to want to 2:09:25PM  
7 come back to that, but let's try to find some  
8 other subjects that are comfortable for now.  
9 And if it becomes an issue down the road, we'll  
10 raise it with the judge and get some direction  
11 from him on how it's appropriate to handle that  
12 situation.  
13 A Yes. 2:09:44PM  
14 Q When you started working at Ocean 2:09:44PM  
15 Beach, was that your first law enforcement  
16 position?  
17 A No. 2:09:53PM  
18 Q When was the first time you held a law 2:09:53PM  
19 enforcement position with any employer?  
20 A 1999. As I stated, I'm a court 2:09:59PM  
21 officer.  
22 MR. NOVIKOFF: Yeah, I would think 2:10:03PM  
23 that a court officer would be characterized  
24 as a law enforcement position.  
  
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1 PAUL CAROLLO  
2 BY MR. GRAFF: 2:10:11PM  
3 Q I intend the question to extend to 2:10:11PM  
4 court officer, yes.  
5 MR. NOVIKOFF: So is the question 2:10:15PM  
6 other than being a court officer, has he  
7 held any --  
8 BY MR. GRAFF: 2:10:18PM  
9 Q Prior to being a court officer, did 2:10:18PM  
10 you hold any other law enforcement positions?  
11 A No. 2:10:23PM  
12 Q Other than your position at Ocean 2:10:23PM  
13 Beach and your position as a court officer, have  
14 you held any other law enforcement positions?  
15 A No. 2:10:30PM  
16 Q You had mentioned when you started 2:10:41PM  
17 working at Ocean Beach that you were in the  
18 police academy?  
19 A Yes. 2:10:46PM  
20 Q Was that a requirement for you to 2:10:46PM  
21 begin working at Ocean Beach?  
22 MR. NOVIKOFF: Objection. 2:10:50PM  
23 A Yes. 2:10:51PM  
24 Q And other than -- what police academy 2:10:52PM  
25 did you attend?  
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1 PAUL CAROLLO  
2 A Suffolk County. 2:10:57PM  
3 Q And did you attain a certification or 2:10:58PM  
4 credential from that academy?  
5 A I graduated, yes. 2:11:05PM  
6 Q Other than graduating police academy, 2:11:06PM  
7 were there any other requirements that you had  
8 to attain to be a police officer at Ocean Beach  
9 that you're aware of?  
10 MR. NOVIKOFF: Objection. 2:11:16PM  
11 A No. 2:11:16PM  
12 Q Was there a qualifying medical exam? 2:11:17PM  
13 MR. NOVIKOFF: Objection. 2:11:20PM  
14 BY MR. GRAFF: 2:11:21PM  
15 Q Or a physical fitness examination? 2:11:21PM  
16 A Yes. I count all of that in as the 2:11:23PM  
17 academy.  
18 Q Could you break down the parts of the 2:11:28PM  
19 academy as you understood them? There was the  
20 physical. Was there a polygraph element?  
21 A Yes. 2:11:37PM  
22 Q Was there a psychological assessment? 2:11:37PM  
23 A Yes. 2:11:40PM  
24 Q When you entered the academy, was that 2:11:42PM  
25 with the intention of working as a police  
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1 PAUL CAROLLO  
2 officer at Ocean Beach specifically?  
3 A Could you ask that again? I'm sorry, 2:11:50PM  
4 I didn't understand that.  
5 Q Let me come at it a different way. 2:11:53PM  
6 How did you go about getting the 2:11:56PM  
7 police officer position at Ocean Beach? Did you  
8 apply for that position?  
9 A Yes. 2:12:01PM  
10 Q And who did you -- how did you go 2:12:01PM  
11 about applying? What was the first step?  
12 A I think my name was put on a list, and 2:12:07PM  
13 basically if you make it through the  
14 investigation, background investigation.  
15 Q Did you submit a written application? 2:12:15PM  
16 How did you -- withdrawn.  
How did you first become aware of the 2:12:20PM  
police officer position in Ocean Beach?  
19 A I work with someone who works there. 2:12:30PM  
20 Q Who specifically? 2:12:33PM  
21 A Walter Moeller. 2:12:34PM  
22 Q And did you learn from Mr. Moeller 2:12:40PM  
23 that there were vacant positions at Ocean Beach?  
24 MR. NOVIKOFF: Objection. Form. 2:12:48PM  
25 A Yeah. I don't know if there was 2:12:53PM  
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1 PAUL CAROLLO  
2 necessarily a vacancy. I don't know that it  
3 would be worded that way.  
4 Q Did you contact a specific person at 2:13:00PM  
5 Ocean Beach to initiate your application process  
6 or to indicate your interest in applying?  
7 A I don't remember if I ever contacted 2:13:08PM  
8 anybody or if he just gave my name in.  
9 Q And were you interviewed for that 2:13:12PM  
10 position?  
11 A Before the background investigation? 2:13:18PM  
12 Q Yes. 2:13:20PM  
13 A No. 2:13:20PM  
14 Q After the background investigation, 2:13:23PM  
15 were you interviewed by someone at Ocean Beach  
16 for a police officer position?  
17 A No. 2:13:33PM  
18 Q Who was the -- who was in charge of 2:13:35PM  
19 the Ocean Beach Police Department at that time?  
20 A Paradiso. 2:13:43PM  
21 Q That's Ed Paradiso? 2:13:44PM  
22 A Ed Paradiso, yes. 2:13:45PM  
23 Q What was his position at the police 2:13:47PM  
24 department?  
25 A Chief. 2:13:49PM  
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1 PAUL CAROLLO

2 Q How did you learn of the academy 2:14:00PM  
3 requirements that you were required to complete  
4 to become a police officer?

5 MR. NOVIKOFF: Objection to form. 2:14:05PM  
6 BY MR. GRAFF: 2:14:06PM

7 Q That is, the process you would have to 2:14:10PM  
8 go through to get the job?

9 MR. NOVIKOFF: Same objection. 2:14:13PM  
10 A I just went through it, and I really 2:14:14PM  
11 can't say. I'm not sure I understand that.

12 Q Did you speak to anyone at Ocean Beach 2:14:20PM  
13 about the specific requirements for the position  
14 before you started police academy?

15 A I don't think so. 2:14:33PM

16 Q Did you speak to somebody, anybody at 2:14:36PM  
17 the Suffolk County Department of Civil Service  
18 about what the requirements that you'd need to  
19 complete were?

20 A No. 2:14:45PM

21 Q Have you ever heard of something 2:15:07PM  
22 called the Ocean Beach Police Department  
23 applicant investigation section?

24 A No. 2:15:20PM

25 Q Are you aware of any applicant 2:15:22PM

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1 PAUL CAROLLO

2 investigation section that you did interact with  
3 as part of your academy process?

4 A Suffolk County. 2:15:30PM

5 Q That would be the Suffolk County -- 2:15:31PM

6 A Suffolk County Police Department. 2:15:35PM

7 Q Applicant investigation? 2:15:36PM

8 A Applicant investigation. 2:15:38PM

9 Q And what is the applicant 2:15:40PM

10 investigation section? What did it do?

11 A Does the whole process. 2:15:46PM

12 Q Could you explain? 2:15:48PM

13 A I guess they run the agility, the 2:15:50PM  
14 medical, psychological and the background  
15 investigation.

16 Q Just to be clear, did you at any point 2:16:01PM  
17 hear of an applicant investigation section  
18 specific to Ocean Beach?

19 MR. NOVIKOFF: Objection. 2:16:08PM

20 MR. CONNOLLY: Objection. 2:16:09PM

21 A I've never heard that term. 2:16:10PM

22 Q As far as you know, were you permitted 2:16:22PM  
23 to start working as a police officer at Ocean  
24 Beach before you completed the academy process,  
25 the medical, physical, polygraph?

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1 PAUL CAROLLO

2 MR. NOVIKOFF: Objection. 2:16:31PM  
3 A One more time. 2:16:35PM  
4 Q Were you required to complete the full 2:16:36PM  
5 academy process and be fully credentialed with  
6 the academy before you could actually start  
7 serving as a police officer?

8 MR. NOVIKOFF: Objection. 2:16:47PM

9 A Yes, I had to finish the police 2:16:48PM  
10 academy.

11 Q Were you required to take a Civil 2:16:51PM  
12 Service examination?

13 MR. NOVIKOFF: Objection. 2:16:54PM

14 A No. 2:16:54PM

15 MR. NOVIKOFF: And the basis of my 2:16:55PM  
16 objection is asking this witness what he was  
17 required or not required to do.

18 BY MR. GRAFF: 2:16:59PM

19 Q As far as you know, were you required 2:17:00PM  
20 to take any Civil Service examination?

21 MR. NOVIKOFF: Same objection. 2:17:04PM

22 A As far as I know, no. 2:17:05PM

23 Q Have you ever taken any Civil Service 2:17:06PM  
24 examination for any position?

25 A Yes. 2:17:10PM

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1 PAUL CAROLLO

2 Q What position is that? 2:17:10PM

3 A Many. I couldn't even remember how 2:17:14PM  
4 many tests I've taken. Certainly I've taking  
5 the Suffolk County police officer's test, court  
6 on officer test, numerous other tests.

7 Q Did you -- who were those tests 2:17:30PM  
8 administered by?

9 A Different agencies. 2:17:36PM

10 Q Did you ever take any tests 2:17:37PM  
11 administered by the Suffolk County Department of  
12 Civil Service?

13 A Only on -- what I'm assuming that 2:17:47PM  
14 Suffolk County Police test and I believe I took  
15 the Suffolk County Department of Corrections  
16 test. Well, I know I took the test. I assume  
17 that that's Civil Service that you're speaking  
of.

18 Q During the time that you worked as a 2:18:05PM  
19 court officer, did you hold any other positions  
20 other than police officer at Ocean Beach?

21 A When you say positions? 2:18:18PM

22 Q Did you have any other employment? 2:18:20PM  
23 Did you work anywhere else?

24 A I was a carpenter. 2:18:24PM

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1 PAUL CAROLLO  
2 Q As a carpenter? 2:18:25PM  
3 A Yes. 2:18:26PM  
4 Q Where did you work as a carpenter? 2:18:27PM  
5 A All over. 2:18:29PM  
6 Q Did you work for a particular 2:18:30PM  
7 carpentry company?  
8 A No, I was in the union. I was a union 2:18:33PM  
9 carpenter.  
10 Q What union? 2:18:37PM  
11 A I was in a few different ones that 2:18:40PM  
12 merged together. I'm in Long Island union right  
13 now.  
14 Q As far as you know, were all of the 2:18:54PM  
15 other police officers at Ocean Beach who were  
16 employed there during the time that you were  
17 employed there, did all of those officers go  
18 through the police academy?  
19 MR. NOVIKOFF: Objection. 2:19:10PM  
20 A I believe everybody went through the 2:19:11PM  
21 police academy.  
22 Q What about a police academy in Suffolk 2:19:15PM  
23 County?  
24 MR. NOVIKOFF: Objection. Foundation. 2:19:18PM  
25 A When I first started, did everyone go 2:19:19PM  
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1 PAUL CAROLLO  
2 through the Suffolk County police academy?  
3 Q As far as you know, is it a 2:19:25PM  
4 requirement to be a police officer at Ocean  
5 Beach to graduate the Suffolk County police  
6 academy?  
7 MR. NOVIKOFF: Objection. 2:19:32PM  
8 MR. CONNOLLY: Objection. 2:19:34PM  
9 A I'm sure of that. 2:19:35PM  
10 Q Are you aware of any sort of Civil -- 2:19:41PM  
11 the phrase Civil Service certification in  
12 connection with your work as a police officer at  
13 Ocean Beach?  
14 MR. NOVIKOFF: Objection to the form. 2:19:48PM  
15 A Ask the question again. 2:19:53PM  
16 Q Do you know, as far as you know, did 2:19:54PM  
17 you have to be certified by the Suffolk County  
18 Department of Civil Service to work as a police  
officer at Ocean Beach?  
19 MR. NOVIKOFF: Same objection. 2:20:01PM  
20 A No, I didn't. When I started there, I 2:20:04PM  
would not have known. I mean, obviously I had  
not gone through a police academy so I had to go  
through that.  
25 Q Okay. And at any point when you were 2:20:14PM  
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1 PAUL CAROLLO  
2 working there, did you ever learn whether you  
3 were or weren't certified through the Suffolk  
4 County Department of Civil Service?  
5 A Did I ever learn that I was? 2:20:26PM  
6 Q You were or weren't. Is that 2:20:27PM  
7 something that ever came up?  
8 A Ask me the question again. 2:20:32PM  
9 Q Do you know whether the Suffolk County 2:20:34PM  
10 Department of Civil Service ever certified you  
11 as qualified to work as a police officer at  
12 Ocean Beach?  
13 A No. All I know is I graduated the 2:20:48PM  
academy and went to work. Exactly what  
paperwork transpired, that I couldn't answer.  
16 Q Did you ever have any interactions 2:20:55PM  
with any particular individual at the Suffolk  
County Department of Civil Service in connection  
with your employment at Ocean Beach?  
20 A I did call -- afterwards I called 2:21:09PM  
Suffolk County Civil Service to ask about what  
the situation with the attorneys was. Yeah.  
23 Q At what point in time did that happen? 2:21:18PM  
24 A Just recently. Two weeks ago. Three 2:21:20PM  
weeks ago. Something like that.  
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1 PAUL CAROLLO  
2 Q And what were your duties as a police 2:21:24PM  
officer at Ocean Beach?  
4 A You know, patrol, arrest, summons. 2:21:31PM  
5 Q And as far as you know, did all of the 2:21:33PM  
6 police officers at Ocean Beach have the same  
7 general duties?  
8 A Yes. 2:21:44PM  
9 Q And did all police officers at Ocean 2:21:45PM  
10 Beach, as far as you know, throughout the course  
11 of time that you were working there, have the  
12 authority to arrest?  
13 MR. NOVIKOFF: Objection. 2:21:54PM  
14 A Ask that again. 2:21:58PM  
15 Q As far as you know, the whole time you 2:22:04PM  
16 were working in Ocean Beach, at any point during  
17 that time, did all the officers at Ocean Beach,  
18 like you, have the power to arrest, assuming  
19 that the requirements for an arrest were  
20 otherwise made?  
21 MR. NOVIKOFF: Objection. 2:22:21PM  
22 A Yes. 2:22:21PM  
23 Q That is, if you saw someone committing 2:22:21PM  
24 a crime, you could arrest them?  
25 A Yes. 2:22:21PM  
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: center;">Page 38</p> <p>1 PAUL CAROLLO<br/>2 Q As far as you know, all the other 2:22:23PM<br/>3 officers at Ocean Beach also had that same<br/>4 arrest power?<br/>5 A As far as I know, yes. 2:22:34PM<br/>6 Q And was there a specific jurisdiction 2:22:35PM<br/>7 or geographical limit to your powers to arrest<br/>8 people?<br/>9 MR. NOVIKOFF: Objection. 2:22:42PM<br/>10 A To arrest? 2:22:50PM<br/>11 Q For example, could you arrest people 2:22:52PM<br/>12 anywhere in Suffolk County, as far as you know?<br/>13 A Yeah. 2:23:01PM<br/>14 Q What about outside Suffolk County, in 2:23:01PM<br/>15 other counties in New York?<br/>16 A As a New York State certified police 2:23:10PM<br/>17 officer -- I don't want to get too involved in<br/>18 the whole thing -- you can make an arrest<br/>19 anywhere in the state.<br/>20 Q And you mentioned, I believe, that you 2:23:20PM<br/>21 also issued summons in Ocean Beach?<br/>22 A Yes. 2:23:24PM<br/>23 Q Do you know how many you would issue 2:23:26PM<br/>24 approximately in a year?<br/>25 A I would say I did between 20, 25. 2:23:35PM</p> <p>TSG Reporting - Worldwide (877) 702-9580</p>                                                                                      | <p style="text-align: center;">Page 39</p> <p>1 PAUL CAROLLO<br/>2 Q And did it stay at approximately that 2:23:39PM<br/>3 number for all of the years that you worked as a<br/>4 police officer?<br/>5 A Yeah. 2:23:44PM<br/>6 MR. NOVIKOFF: There's really only two 2:23:44PM<br/>7 seasons, right, Ari?<br/>8 MR. GRAFF: 2004, 2005, 2006. 2:23:49PM<br/>9 MR. NOVIKOFF: Sorry. Three years. 2:23:52PM<br/>10 MR. GRAFF: Three seasons. 2:23:55PM<br/>11 BY ATTORNEY1: 2:23:55PM<br/>12 Q Is that correct, three summer seasons? 2:23:56PM<br/>13 A Yes. 2:23:58PM<br/>14 Q Were you ever told by anyone that you 2:24:03PM<br/>15 should issue more summons beyond the number that<br/>16 you were averaging?<br/>17 MR. NOVIKOFF: Objection to the form. 2:24:11PM<br/>18 A That I should issue more? 2:24:16PM<br/>19 Q Yes. 2:24:18PM<br/>20 A No. 2:24:21PM<br/>21 Q Were you ever told to issue fewer 2:24:21PM<br/>22 summonses?<br/>23 A No. 2:24:24PM<br/>24 Q Were you ever told to issue more or 2:24:24PM<br/>25 fewer summonses for specific offenses?</p> <p>TSG Reporting - Worldwide (877) 702-9580</p> |
| <p style="text-align: center;">Page 40</p> <p>1 PAUL CAROLLO<br/>2 A I think that when complaints would 2:24:35PM<br/>3 come in about certain things, there would be a<br/>4 meeting of that. But it was never anything<br/>5 forced upon you. Whether it be like they want<br/>6 more, you know, the council's complaining<br/>7 about -- not the council, the village, what are<br/>8 they called, trustees or civilian complaints,<br/>9 resident complaints, that maybe there was too<br/>10 much bike riding so they say we gotta keep a<br/>11 better eye on bike riding.<br/>12 Q Who would run those meetings? 2:25:13PM<br/>13 A I guess it depended what shift you 2:25:15PM<br/>14 were on and who the supervisor was.<br/>15 Q In 2004, when you started working, 2:25:19PM<br/>16 what shift did you work?<br/>17 A 2004, I worked, I believe, I 2:25:23PM<br/>18 started -- I don't think they changed. It was a<br/>19 Friday 9 to 5, 9 to 5 in the morning, and<br/>20 Saturday 9 to 5, 5 in the morning.<br/>21 MR. NOVIKOFF: Nine in the morning? 2:25:36PM<br/>22 THE WITNESS: 9:00 p.m. to 5:00 a.m. 2:25:37PM<br/>23 MR. NOVIKOFF: Friday and Saturday? 2:25:40PM<br/>24 THE WITNESS: Yes. 2:25:42PM<br/>25</p> <p>TSG Reporting - Worldwide (877) 702-9580</p> | <p style="text-align: center;">Page 41</p> <p>1 PAUL CAROLLO<br/>2 BY MR. GRAFF: 2:25:42PM<br/>3 Q And who was in charge of that shift at 2:25:42PM<br/>4 that time?<br/>5 A Most of the time it was George Hesse. 2:25:46PM<br/>6 Q And what about the summer of 2005, did 2:25:48PM<br/>7 you also work the night shift?<br/>8 A Yes. 2:25:53PM<br/>9 Q And was that also under the 2:25:54PM<br/>10 supervision of George Hesse?<br/>11 A Yes. 2:25:58PM<br/>12 Q And summer of 2006, did you also 2:25:59PM<br/>13 continue to work night shifts?<br/>14 A Yes. 2:26:04PM<br/>15 Q And summer 2006, was that also under 2:26:05PM<br/>16 the supervision of George Hesse?<br/>17 A Yeah, I think George was there all 2:26:12PM<br/>18 three years.<br/>19 Q What about -- did you ever work day 2:26:15PM<br/>20 shifts?<br/>21 A I worked Sundays 4 to 12. 2:26:20PM<br/>22 Q And would that be ever during the 2:26:23PM<br/>23 summers?<br/>24 A Yes. I think I worked Sundays -- yes. 2:26:28PM<br/>25 Q And what summers did you work the day 2:26:32PM<br/>TSG Reporting - Worldwide (877) 702-9580</p>         |

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1 PAUL CAROLLO

2 shift?

3 A Well, I definitely worked Sundays 4 to 2:26:35PM  
4 12 most of the time. I don't remember the first  
5 year, 2004, if I was working that Sunday or not.  
6 Certainly I worked 2005 and 2006 Sunday 4 to 12.

7 Q When you worked on the day shift, who 2:26:51PM  
8 was the supervisor?

9 A I think George was. 2:26:54PM

10 Q Did you ever work on any shifts where 2:27:01PM  
11 Ed Paradiso was the supervisor?

12 A I guess -- yeah, I worked with him a 2:27:10PM  
13 few times. I don't remember if it was specific  
14 shifts or they swapped shifts. Did I come in on  
15 an 8:00? I don't really remember. I worked  
16 with -- certainly I was there with Ed Paradiso  
17 on a few times. Did I change shifts, I don't  
18 remember.

19 Q After you worked summer of 2004 and 2:27:30PM  
20 then part of the year -- part-time fall, winter  
21 '04, did you have to reapply for a position at  
22 Ocean Beach for the summer of 2005?

23 A No. 2:27:48PM

24 Q And prior to the summer of 2006, did 2:27:49PM  
25 you have to reapply for a position at Ocean

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1 PAUL CAROLLO

2 Beach as a police officer for summer '06?

3 A No. 2:27:58PM  
4 Q And for the summer of 2007, was that 2:27:59PM  
5 already after you had stopped working?

6 MR. NOVIKOFF: Was the summer season 2:28:07PM  
7 of '07 after the March? I think we can  
8 stipulate.

9 BY MR. GRAFF: 2:28:16PM

10 Q Do you recall, if I say summer 2:28:17PM  
11 season --

12 A Summer of '07 you're asking me. 2:28:18PM

13 Q Are there particular months that fall 2:28:24PM  
14 within the summer season of 2007?

15 MR. NOVIKOFF: Note my objection. 2:28:31PM

16 A Ask me the question again. 2:28:34PM

17 Q Are you aware of anything or have you 2:28:35PM  
18 heard of summer season in the context of the  
19 Ocean Beach Police Department?

20 A Yeah. 2:28:46PM

21 Q What does that refer to, as you 2:28:46PM  
22 understand it?

23 A I don't think there's any written 2:28:53PM  
24 thing about it. I think there's some sort of  
25 meeting or something in April, and I think it

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1 PAUL CAROLLO

2 varies exactly when you start. I guess it  
3 depends on how much money they have. I don't  
4 know. Sometime obviously by the end of May  
5 everybody is up and going.

6 MR. NOVIKOFF: Just so we're clear, 2:29:13PM  
7 all objections as to relevance preserved,  
8 objections as to form obviously have to be  
9 made. Regular stip. And also motions to  
10 strike, we don't have to do it here.

11 MR. GRAFF: Right. Reserved. 2:29:28PM

12 MR. CONNOLLY: To the extent 2:29:31PM  
13 necessary, objection by one.

14 MR. GRAFF: Inures to the benefit of 2:29:34PM  
15 everybody, at least everybody present.

16 MR. NOVIKOFF: Okay. 2:29:41PM

17 MR. CONNOLLY: Okay. 2:29:42PM

18 BY MR. GRAFF: 2:29:45PM

19 Q Other than when you were going through 2:29:52PM  
20 the police academy, before you first started  
21 working at Ocean Beach, did you ever have to  
22 submit any other paperwork as part of your  
23 employment there?

24 A What? 2:30:04PM

25 Q Other than any paperwork that may have 2:30:05PM

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1 PAUL CAROLLO

2 been involved in the police academy process, did  
3 you have to submit other paperwork in the course  
4 of your employment at Ocean Beach?

5 A No. You might have actually put in a 2:30:14PM  
6 shift request. I'm trying to remember. I don't  
7 remember that. I think the first year I  
8 probably had to put in something like what  
9 shifts I would want to work.

10 Q How were you notified that you had 2:30:32PM  
11 first obtained a position as a police officer at  
12 Ocean Beach?

13 A The first? 2:30:44PM

14 Q Yes. 2:30:45PM

15 A I guess when I passed the background 2:30:46PM  
16 investigation.

17 Q As far as you know, who hired you as a 2:30:50PM  
18 police officer at Ocean Beach?

19 MR. NOVIKOFF: Objection. 2:30:54PM

20 BY MR. GRAFF: 2:30:55PM

21 Q That is, who made the decision to hire 2:30:55PM  
22 you?

23 MR. NOVIKOFF: Objection. Foundation. 2:30:58PM

24 A Who has the authority to hire me? You 2:31:04PM  
25 mean like does it go before the village? I

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1 PAUL CAROLLO  
2 don't really know what transpired behind the  
3 scenes.

4 Q So you don't know if -- 2:31:16PM  
5 A I mean I don't know if there was ever 2:31:17PM  
6 hey, to the trustees or the mayor or U you know,  
7 that I don't know.  
8 Q Did anyone ever communicate to you who 2:31:24PM  
9 had made the decision to hire you?

10 MR. NOVIKOFF: Objection to form. 2:31:34PM  
11 A The way it appeared to me was that if 2:31:35PM  
12 you get through the background -- obviously, you  
13 know, my name is submitted. I don't think  
14 anybody really -- if you get through the  
15 investigation, which most people don't, I think  
16 that's kind of what they base it on.

17 Q Do you recall whether in your police 2:32:00PM  
18 academy class, everybody who was a part of that  
19 class was seeking a police officer job in Ocean  
20 Beach?

21 A No. 2:32:12PM

22 Q Do you remember how many people were 2:32:15PM  
in your class?

23 A I'm gonna say 14. 2:32:28PM

24 Q And of the people in your class, other 2:32:29PM

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1 PAUL CAROLLO  
2 than yourself, did anyone else go on to be a  
3 police officer at Ocean Beach?

4 A Yes. 2:32:35PM  
5 Q Other than this deposition today, have 2:32:52PM  
6 you ever testified under oath before?  
7 A Yes. 2:32:57PM  
8 Q Other than in your capacity as an 2:32:59PM  
9 arresting officer or in the course of your  
10 official duties as a police officer at Ocean  
11 Beach, have you ever had occasion to testify  
12 under oath?

13 MR. NOVIKOFF: Objection to form. 2:33:13PM

14 A Ask the question again. 2:33:16PM

15 Q Let me narrow the question. 2:33:18PM  
16 Other than as an arresting officer, 2:33:19PM

17 have you ever had another context in which  
18 you've testified under oath?

19 MR. NOVIKOFF: Objection to form. 2:33:26PM

20 A Is this considered testifying? 2:33:27PM

21 Q Yes. 2:33:29PM

22 A A deposition? 2:33:30PM

23 Q Yes. 2:33:31PM

24 A Yes. 2:33:31PM

25 Q And have you had a deposition before? 2:33:32PM

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1 PAUL CAROLLO

2 A Yes. 2:33:37PM

3 Q Have you been deposed more than once 2:33:38PM  
before?

5 A I don't think so. 2:33:44PM

6 Q And when did that other deposition 2:33:45PM  
that you had take place?

8 A Six years ago. 2:33:56PM

9 Q And do you recall what the nature of 2:33:58PM  
the case was that you were testifying in in  
10 deposition?

12 A I'm not going to get into all that. 2:34:15PM

13 MR. NOVIKOFF: What was that? 2:34:22PM

14 A I'll just say it goes back to the 2:34:24PM  
court.

16 Q Which courts are you referring to? 2:34:28PM

17 A My job at the courts. 2:34:30PM

18 Q Do you know in what court that case 2:34:33PM  
was pending?

20 A No. 2:34:38PM

21 MR. NOVIKOFF: I just want to be 2:34:39PM  
certain. You asked the question of this  
22 witness to identify the nature of the  
23 proceeding in which he was deposed in, and  
24 this witness has indicated to you he's not

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1 PAUL CAROLLO

2 going to talk about it.

3 MR. GRAFF: Yes. 2:34:52PM

4 MR. NOVIKOFF: I just want to make 2:34:53PM  
sure I understood what this witness was  
5 responding in terms of your question.

7 BY MR. GRAFF: 2:35:02PM

8 Q I'm sorry, was the answer -- 2:35:03PM

9 A Yeah, I'm not going to get into 2:35:05PM  
10 personal things.

11 Q Did that case have anything to do with 2:35:11PM  
Ocean Beach?

13 A No. 2:35:15PM

14 Q Were you a party in that case, a 2:35:20PM  
15 plaintiff or defendant?

16 A I'm not going to answer any more 2:35:25PM  
17 questions on that.

18 Q Is that the same basis as the other 2:35:31PM  
19 subject you didn't want to get into?

20 A I don't know if they're the same 2:35:36PM  
21 basis, but, you know...

22 Q Other than -- other than in the 2:35:54PM  
23 context of an arrest or prosecution of somebody  
24 arrested in Ocean Beach -- withdrawn.

25 I think we're all aware that you had 2:36:13PM  
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1           **PAUL CAROLLO**  
2           **testified in connection with the trial involving**  
3           **George Hesse.**  
4            MR. NOVIKOFF: Don't presume. I'm an 2:36:18PM  
5            idiot. I don't read papers.  
6            MR. GRAFF: I'm confident that that's 2:36:23PM  
7            not the case.  
8            A    What I will -- without counsel, I'm 2:36:26PM  
9            not going to get involved in any questioning  
10          that pertains to me in any of -- cases outside  
11          of this.

12          **Q    And if you did have counsel, is that 2:36:45PM**  
13          **something that you would able to testify to?**

14          A    Obviously, I would have a conversation 2:36:50PM  
15          with, you know, Othat's why you have, you  
16          know -- was that not clear?

17          MR. NOVIKOFF: No, I understand your 2:37:01PM  
18          position.

19          BY MR. GRAFF: 2:37:02PM

20          **Q    Could you state your present address 2:37:03PM**  
21          **for the record?**

22          A    My present address? 2:37:12PM

23          **Q    Where you live. 2:37:15PM**

24          A    20 Gaymor Lane, Commack. 2:37:16PM

25          **Q    How long have you lived there? 2:37:23PM**

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1           **PAUL CAROLLO**  
2            A    Thirteen years. 2:37:26PM  
3            **Q    And whom do you live with at that 2:37:27PM**  
4            **address?**  
5            A    Wife and children. 2:37:30PM  
6            **Q    Just a couple of questions on 2:37:46PM**  
7            **educational background. Did you graduate high**  
8            **school?**  
9            A    Yes. 2:37:52PM  
10          **Q    Did you attend any college or 2:37:52PM**  
11          **University?**  
12          A    Yes. 2:37:55PM  
13          **Q    And what was the first college or 2:37:56PM**  
14          **University that you attended?**  
15          A    Suffolk County Community College. 2:38:00PM  
16          **Q    Did you graduate? 2:38:03PM**  
17          A    Yes. 2:38:04PM  
18          **Q    Did you attend any other college or 2:38:04PM**  
19          **University?**  
20          A    No. 2:38:10PM  
21          **Q    Other than your police officer academy 2:38:12PM**  
22          **certification, do you hold any other credentials**  
23          **or certifications?**  
24          A    Peace officer as a court officer when 2:38:28PM  
25          I graduated that academy.

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1           **PAUL CAROLLO**  
2          **Q    Prior to 2007, if we can narrow it 2:38:44PM**  
3          **down to that period, so anything before 2007.**  
4          **Prior to that time, had you ever been convicted**  
5          **of a crime?**  
6          A    No. 2:38:58PM

7            MR. NOVIKOFF: What was that question? 2:39:00PM  
8            (Whereupon, the referred to portion 2:39:12PM  
9            was read back by the court reporter: Prior  
10          to 2007, if we can narrow it down to that  
11          period, so anything before 2007. Prior to  
12          that time, had you ever been convicted of a  
13          crime?)

14          **Q    And prior to 2007, did you ever plead 2:39:13PM**  
15          **guilty to any crime?**

16          A    No. 2:39:22PM

17          **Q    And just for the record, looking now 2:39:25PM**  
18          **at the period from 2007 on, were you, between**  
19          **2007 and today, ever convicted of a crime?**

20          A    No. 2:39:36PM

21          **Q    Did you plead guilty to any crime 2:39:37PM**  
22          **between 2007 and today?**

23          A    No. 2:39:42PM

24          **Q    Prior to 2007, did you plead guilty to 2:39:48PM**  
25          **any misdemeanor or violation?**

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1           **PAUL CAROLLO**  
2          A    Prior to 2007, I had a violation for 2:39:58PM  
3          an open fire when I worked as a construction  
4          supervisor.  
5          **Q    Other than that instance, did you ever 2:40:05PM**  
6          **plead guilty to a misdemeanor or a violation**  
7          **prior to 2007?**

8          A    No. 2:40:12PM

9          **Q    What about from 2007 to today, did you 2:40:14PM**  
10         **plead guilty to a misdemeanor or violation?**

11         A    No. 2:40:20PM

12         **Q    Have you ever -- other than the case 2:40:29PM**  
13         **that you were deposed that we already referred**  
14         **to, have you ever been involved in any other**  
15         **case as a plaintiff or defendant?**

16         MR. CONNOLLY: Referring to civil 2:40:43PM  
17         matters?

18         MR. GRAFF: Yes. 2:40:44PM

19         A    Ask the question again. 2:40:45PM

20         **Q    Did you ever sue anyone? 2:40:46PM**

21         A    Did I ever sue anyone, no. 2:40:48PM

22         **Q    Have you ever been sued by anyone? 2:40:50PM**

23         A    Yes. 2:40:52PM

24         **Q    And what was the nature of the case in 2:40:55PM**  
25         **which you were sued?**

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1 PAUL CAROLLO

2 A That's the one I just spoke about. 2:41:01PM  
3 Q Was that the case you were deposed in? 2:41:03PM  
4 A Yes. 2:41:05PM  
5 Q Other than in that case, were you ever 2:41:06PM  
6 sued in any other cases?

7 A No. 2:41:10PM  
8 Q Any employment that you've had, has 2:41:18PM  
9 any grievance ever been filed against you?  
10 A No. 2:41:24PM  
11 Q Has any civilian complaint ever been 2:41:25PM  
12 filed against you?

13 MR. NOVIKOFF: Note my objection to 2:41:34PM  
14 the form of that question.

15 A Yeah, I'm not going to answer that. 2:41:36PM  
16 I'm not even sure how to answer that.

17 Q Is that because you don't understand 2:41:40PM  
18 the question or because of something else?

19 A Both. 2:41:49PM

20 Q What part of the question -- 2:41:57PM

21 A Well, it falls into things that I'm 2:41:59PM  
22 not going to talk about without counsel.

23 Q Okay. As part of your certification 2:42:03PM  
24 process to be a police officer, did you take a  
25 polygraph exam?

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1 PAUL CAROLLO

2 A Yes. 2:42:33PM  
3 Q Where did you take it? 2:42:33PM  
4 A Suffolk County, in Yaphank. I don't 2:42:36PM  
5 know what the building would be classified as.  
6 Suffolk County police in Yaphank. I don't know  
7 what the building really falls under.

8 Q Did you fill out a questionnaire in 2:42:52PM  
9 connection with the polygraph exam before it was  
10 administered to you?

11 A Yes. 2:43:00PM

12 Q Did you get a copy of any of those 2:43:05PM  
13 questions on the questionnaire before you filled  
14 it out?

15 A I don't know. I don't think so. 2:43:13PM

16 Q Were you informed or given any 2:43:14PM  
17 information about any of the questions on the  
18 actual polygraph before it was administered to  
19 you?

20 A I don't remember. 2:43:26PM

21 Q Are you aware of any other police 2:43:39PM  
22 officers at Ocean Beach who were not certified  
23 to work as police officers at the time that they  
24 were employed?

25 MR. NOVIKOFF: Objection to form. 2:43:47PM

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1 PAUL CAROLLO

2 A Ask your question again. 2:43:53PM  
3 Q Let me ask about some specific people. 2:43:54PM  
4 Do you know who Gary Bosetti is?

5 A Yes. 2:43:58PM

6 Q Who is Gary Bosetti? 2:43:59PM

7 A Who is he? He was a police officer in 2:44:02PM  
8 Ocean Beach.

9 MR. CONNOLLY: Who is the Gary Bosetti 2:44:08PM  
10 that you know?

11 BY MR. GRAFF: 2:44:11PM

12 Q When did you meet Gary Bosetti the 2:44:11PM  
13 first time?

14 A Sometime while I was working. 2:44:15PM

15 Q And as far as you know, was Gary 2:44:17PM  
16 Bosetti certified to work as a police officer at  
17 Ocean Beach?

18 MR. NOVIKOFF: Objection to form. 2:44:22PM  
19 A When I started there? I mean -- yes, 2:44:25PM  
20 as far as I knew. To my knowledge, yes.

21 Q And Richard Bosetti, is that someone 2:44:34PM  
22 that you know?

23 A Yes. 2:44:40PM

24 Q Did you know him also as a police 2:44:41PM  
25 officer at Ocean Beach?

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1 PAUL CAROLLO

2 A Yes. 2:44:43PM  
3 Q When did you first meet Richard 2:44:44PM  
4 Bosetti?

5 A When I was working. 2:44:47PM

6 Q And to your knowledge, was he -- 2:44:49PM  
7 throughout the time that you were working with  
8 him as a police officer, was he, throughout that  
9 time, certified to work as a police officer?

10 MR. NOVIKOFF: Objection. 2:44:58PM

11 A When I first started -- ask the 2:45:09PM  
12 question again.

13 MR. NOVIKOFF: Ari, again, 2:45:14PM

14 respectfully, you can go through the list of  
15 names you want. This is your deposition.

16 You take the longest witnesses here. But I  
17 think on this issue, the facts speak for  
18 themselves, and whether or not this witness  
19 knew or didn't know, I don't think is  
20 particularly helpful or relevant. But,  
21 again, if you want to go down a list of  
22 employees, by all means, do so.

23 BY MR. GRAFF: 2:45:43PM

24 Q What I want to know is whether you 2:45:43PM  
25 were aware --

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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| <p style="text-align: center;">Page 58</p> <p>1           <b>PAUL CAROLLO</b></p> <p>2     A There's different time elements. 2:45:46PM</p> <p>3     That's why I have a tough time answering</p> <p>4     questions. Certainly, when I started, I had no</p> <p>5     knowledge that they weren't certified or they</p> <p>6     were certified. You know, they were there.</p> <p>7     <b>Q Did anyone ever communicate to you 2:45:56PM</b></p> <p>8     <b>that anyone else who was a police officer at</b></p> <p>9     <b>Ocean Beach was not certified to hold that</b></p> <p>10     <b>position?</b></p> <p>11     MR. NOVIKOFF: Objection to the form. 2:46:03PM</p> <p>12     I mean, Ari, if you want to ask him if 2:46:05PM</p> <p>13     Mr. Fiorillo or your clients spoke to him</p> <p>14     about that issue, I think that would</p> <p>15     probably be relevant.</p> <p>16     MR. GRAFF: We can narrow it down if 2:46:15PM</p> <p>17     the answer is yes.</p> <p>18     A Is there a question out there? You 2:46:23PM</p> <p>19     want to make the whole thing a little quicker?</p> <p>20     <b>Q Please. 2:46:36PM</b></p> <p>21     A When I started there, you know, I 2:46:37PM</p> <p>22     don't think that anybody thought that there was</p> <p>23     any problem, whatever. Somewhere along the</p> <p>24     line, I guess something came up about Suffolk</p> <p>25     County Civil Service, and they all started going</p> <p style="text-align: center;">TSG Reporting - Worldwide (877) 702-9580</p> | <p style="text-align: center;">Page 59</p> <p>1           <b>PAUL CAROLLO</b></p> <p>2     through the process and whatnot.</p> <p>3     <b>Q How did you learn that something had 2:46:49PM</b></p> <p>4     <b>come up with Suffolk County Civil Service?</b></p> <p>5     A I don't know. Just from work. 2:46:53PM</p> <p>6     <b>Q Did anyone ever communicate to you 2:46:58PM</b></p> <p>7     <b>that somebody at the Ocean Beach Police</b></p> <p>8     <b>Department had reported any issue with</b></p> <p>9     <b>certification to the Civil Service Department?</b></p> <p>10     MR. NOVIKOFF: Objection to form. 2:47:07PM</p> <p>11     A No. 2:47:10PM</p> <p>12     <b>Q Did you ever hear anyone refer to 2:47:21PM</b></p> <p>13     <b>anyone else in Ocean Beach as a rat in</b></p> <p>14     <b>connection with anything to do with Civil</b></p> <p>15     <b>Service?</b></p> <p>16     MR. NOVIKOFF: Objection to form. 2:47:29PM</p> <p>17     It's pretty broad.</p> <p>18     A Could you ask the question again now. 2:47:32PM</p> <p>19     <b>Q Did you ever hear of anyone referred 2:47:34PM</b></p> <p>20     <b>to as a rat in connection with raising Civil</b></p> <p>21     <b>Service certification issues at Ocean Beach?</b></p> <p>22     MR. NOVIKOFF: Objection to form. 2:47:44PM</p> <p>23     A No. 2:47:45PM</p> <p>24     <b>Q Did you ever hear anyone refer to Tom 2:47:47PM</b></p> <p>25     <b>Snyder as a rat?</b></p> <p style="text-align: center;">TSG Reporting - Worldwide (877) 702-9580</p> |
| <p style="text-align: center;">Page 60</p> <p>1           <b>PAUL CAROLLO</b></p> <p>2     A In reference to the question you're 2:47:59PM</p> <p>3     asking me?</p> <p>4     <b>Q In any context. 2:48:01PM</b></p> <p>5     A I'm not sure. I can't say for sure. 2:48:06PM</p> <p>6     <b>Q Same question with respect to Frank 2:48:11PM</b></p> <p>7     <b>Fiorillo.</b></p> <p>8     A I don't think I ever heard anyone 2:48:16PM</p> <p>9     refer to him as a rat.</p> <p>10     <b>Q What about Ed Carter? 2:48:21PM</b></p> <p>11     A No. 2:48:24PM</p> <p>12     <b>Q What about Tom Snyder? 2:48:24PM</b></p> <p>13     A Wait a minute, did you ask that 2:48:29PM</p> <p>14     already?</p> <p>15     <b>Q I'm sorry. Yes. 2:48:32PM</b></p> <p>16     <b>What about Joe Nofi? 2:48:35PM</b></p> <p>17     A No. 2:48:38PM</p> <p>18     <b>Q What about Kevin Lamm? 2:48:39PM</b></p> <p>19     A No. 2:48:41PM</p> <p>20     <b>Q Did you ever hear of an association 2:49:01PM</b></p> <p>21     <b>called the Ocean Beach PBA?</b></p> <p>22     A Yes. 2:49:06PM</p> <p>23     <b>Q When did you first hear of that? 2:49:06PM</b></p> <p>24     A I think George bought dinner one time 2:49:23PM</p> <p>25     and said it was PBA money.</p> <p style="text-align: center;">TSG Reporting - Worldwide (877) 702-9580</p>                                                                                                                                                                                                 | <p style="text-align: center;">Page 61</p> <p>1           <b>PAUL CAROLLO</b></p> <p>2     <b>Q Do you remember when that dinner 2:49:28PM</b></p> <p>3     <b>happened?</b></p> <p>4     A No. 2:49:36PM</p> <p>5     <b>Q Other than in connection with that 2:49:41PM</b></p> <p>6     <b>dinner, did you ever hear of any other</b></p> <p>7     <b>references to the Ocean Beach PBA?</b></p> <p>8     A Yeah, I think they bought equipment -- 2:49:49PM</p> <p>9     well, are you asking me what they used the money</p> <p>10     for?</p> <p>11     <b>Q Yeah. What you know of what the PBA 2:49:59PM</b></p> <p>12     <b>did.</b></p> <p>13     MR. NOVIKOFF: Objection to the form. 2:50:08PM</p> <p>14     A I don't remember if it was 2006 or 2:50:12PM</p> <p>15     2007, they bought a whole bunch of auto</p> <p>16     equipment.</p> <p>17     <b>Q And do you know who was in charge of 2:50:21PM</b></p> <p>18     <b>the Ocean Beach PBA?</b></p> <p>19     A I'd really have to answer your 2:50:29PM</p> <p>20     question on an assumption.</p> <p>21     <b>Q As far as you know. 2:50:32PM</b></p> <p>22     A I guess George. I'm not 100 percent 2:50:32PM</p> <p>23     sure. It's an assumption that it's George.</p> <p>24     <b>Q Did the Ocean Beach PBA, as far as you 2:50:42PM</b></p> <p>25     <b>know, ever sponsor any parties?</b></p> <p style="text-align: center;">TSG Reporting - Worldwide (877) 702-9580</p>                                                                                             |

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| <p style="text-align: center;">Page 62</p> <p>1           <b>PAUL CAROLLO</b></p> <p>2     A Not that I know of.                   2:50:52PM</p> <p>3     Q What about specifically an annual   2:50:53PM</p> <p>4       Christmas party?</p> <p>5     A I went to one Christmas party, and I   2:51:03PM</p> <p>6       don't know who paid for it.</p> <p>7     Q Do you have any information as to who   2:51:11PM</p> <p>8       oversaw the finances of that PBA?</p> <p>9     A Do I have specific knowledge, no.      2:51:20PM</p> <p>10    Q Did anyone ever communicate anything   2:51:25PM</p> <p>11       to you with respect to who was responsible for</p> <p>12       overseeing the PBA's finances?</p> <p>13    A Can you reword that question?        2:51:34PM</p> <p>14    Q Did anyone ever tell you who they      2:51:36PM</p> <p>15       believed was responsible for overseeing the</p> <p>16       PBA's finances?</p> <p>17    A Did anyone tell me?                  2:51:46PM</p> <p>18    Q Yes.                                  2:51:47PM</p> <p>19    A No.                                  2:51:48PM</p> <p>20    Q Do you know whether the Ocean Beach   2:51:51PM</p> <p>21       PBA solicited donations or raised money?</p> <p>22    MR. NOVIKOFF: Objection to form.      2:51:59PM</p> <p>23    A They were given money from different   2:52:05PM</p> <p>24       homeowners, but I don't know if they solicited</p> <p>25       or people just donated.</p> <p style="text-align: center;">TSG Reporting - Worldwide (877) 702-9580</p> | <p style="text-align: center;">Page 63</p> <p>1           <b>PAUL CAROLLO</b></p> <p>2     Q As far as you know, were you a member   2:52:12PM</p> <p>3       of the Ocean Beach PBA?</p> <p>4     A I don't know. I assume that everybody   2:52:14PM</p> <p>5       was. I don't know.</p> <p>6     Q Did you ever receive a PBA membership   2:52:17PM</p> <p>7       card?</p> <p>8     A No.                                    2:52:20PM</p> <p>9     Q Do you know who any of the officers,   2:52:20PM</p> <p>10       if any existed, worked for the Ocean Beach</p> <p>11       PBA -- withdrawn. Do you know if there was a</p> <p>12       board --</p> <p>13    A I assumed everyone was in it. I        2:52:35PM</p> <p>14       assumed Ocean Beach PBA, whatever money came</p> <p>15       into it. I don't think there was any kind of</p> <p>16       joining thing.</p> <p>17       MR. GRAFF: I'm going to ask the court   2:52:53PM</p> <p>18       reporter to mark as Exhibit 3 a one-page</p> <p>19       document bearing Bates number P 926.</p> <p>20       (Whereupon, a one-page document        2:53:02PM</p> <p>21       bearing Bates number P 926 was marked as</p> <p>22       Plaintiff's Exhibit 3 for identification, as</p> <p>23       of this date.)</p> <p>24    A Do you want me to read this?        2:53:31PM</p> <p>25    Q Yeah, if you could please take a look   2:53:33PM</p> <p style="text-align: center;">TSG Reporting - Worldwide (877) 702-9580</p>                                         |
| <p style="text-align: center;">Page 64</p> <p>1           <b>PAUL CAROLLO</b></p> <p>2       at it.</p> <p>3     A Okay.                                2:55:00PM</p> <p>4     Q Mr. Carollo, is this -- what's been   2:55:01PM</p> <p>5       marked as Exhibit 3, have you seen this before</p> <p>6       or a copy of it?</p> <p>7     A No.                                  2:55:08PM</p> <p>8     Q Looking at the second paragraph, it   2:55:10PM</p> <p>9       says, "The department is looking into the</p> <p>10       possibility of recruiting two full-time police</p> <p>11       officers for the roster this year."</p> <p>12       Are you aware of any full-time police   2:55:22PM</p> <p>13       officers who were hired in 2006 or 2007 at Ocean</p> <p>14       Beach?</p> <p>15     A Full-time?                          2:55:36PM</p> <p>16     Q Do you have an understanding of who   2:55:37PM</p> <p>17       this refers to?</p> <p>18     A I know someone was hired from NYPD. I   2:55:52PM</p> <p>19       don't know if it was this year and that's who</p> <p>20       it's referring to.</p> <p>21     Q And who's that person that you're      2:55:59PM</p> <p>22       thinking of?</p> <p>23     A Paul Troesco.                        2:56:03PM</p> <p>24     Q Jumping down to the third paragraph,   2:56:05PM</p> <p>25       it says in the third sentence, "This coming</p> <p style="text-align: center;">TSG Reporting - Worldwide (877) 702-9580</p>                                                                          | <p style="text-align: center;">Page 65</p> <p>1           <b>PAUL CAROLLO</b></p> <p>2       spring, we're looking to add a new digital video</p> <p>3       surveillance system in and around the police</p> <p>4       facility."</p> <p>5       Do you know what that's referring to?   2:56:21PM</p> <p>6     MR. NOVIKOFF: Objection to the form.   2:56:23PM</p> <p>7     BY MR. GRAFF:                          2:56:38PM</p> <p>8     Q Maybe I can ask the question separate   2:56:39PM</p> <p>9       from this.</p> <p>10    A Okay, so this is after 2005.        2:56:44PM</p> <p>11    Q Are you aware of a digital            2:56:48PM</p> <p>12       surveillance system that was installed around</p> <p>13       that time in the Ocean Beach Police Department?</p> <p>14       MR. NOVIKOFF: Objection to the form.   2:56:54PM</p> <p>15    A Ask the question again.               2:56:59PM</p> <p>16    Q Are you aware of a digital            2:57:00PM</p> <p>17       surveillance system at the Ocean Beach Police</p> <p>18       Department?</p> <p>19       MR. NOVIKOFF: Objection.               2:57:07PM</p> <p>20       MR. CONNOLLY: At what juncture?      2:57:10PM</p> <p>21       MR. GRAFF: At any point.              2:57:12PM</p> <p>22    A You're asking me -- they put in new    2:57:18PM</p> <p>23       cameras.</p> <p>24    Q Yes. Do you recall them doing that at   2:57:24PM</p> <p>25       some point?</p> <p style="text-align: center;">TSG Reporting - Worldwide (877) 702-9580</p> |

| Page 66                                  |                                                          | Page 67                                  |                                                           |
|------------------------------------------|----------------------------------------------------------|------------------------------------------|-----------------------------------------------------------|
| 1                                        | <b>PAUL CAROLLO</b>                                      | 1                                        | <b>PAUL CAROLLO</b>                                       |
| 2                                        | A Yes. 2:57:28PM                                         | 2                                        | MR. NOVIKOFF: Objection. Foundation. 2:58:17PM            |
| 3                                        | <b>Q Do you know when -- 2:57:30PM</b>                   | 3                                        | A I don't know when they put the new one 2:58:20PM        |
| 4                                        | A I assume -- I'm a technical idiot, as 2:57:31PM        | 4                                        | in exactly. I know that -- I'm trying to think,           |
| 5                                        | my kids can tell you. Is it digital or not, I            | 5                                        | actually. I shouldn't say I know that. Yeah, I            |
| 6                                        | don't know.                                              | 6                                        | have no idea. I know there's a new one in.                |
| 7                                        | <b>Q Do you know why a new surveillance 2:57:37PM</b>    | 7                                        | When that went in, I don't know. And the time             |
| 8                                        | <b>camera was installed at some point?</b>               | 8                                        | span between when that went in and the new one            |
| 9                                        | MR. CONNOLLY: Objection. 2:57:41PM                       | 9                                        | went in, I don't know.                                    |
| 10                                       | MR. NOVIKOFF: The question is does he 2:57:42PM          | 10                                       | MR. GRAFF: I'm going to have marked 2:58:44PM             |
| 11                                       | know why a new camera was installed?                     | 11                                       | as Exhibits 4 and 5 two photographs.                      |
| 12                                       | MR. GRAFF: Yes. 2:57:46PM                                | 12                                       | (Whereupon, a photocopy was marked as 2:58:49PM           |
| 13                                       | BY MR. GRAFF: 2:57:46PM                                  | 13                                       | Plaintiff's Exhibit 4 for identification, as              |
| 14                                       | <b>Q Did anybody ever explain to you why a 2:57:47PM</b> | 14                                       | of this date.)                                            |
| 15                                       | <b>new one was installed?</b>                            | 15                                       | (Whereupon, a photocopy was marked as 2:58:50PM           |
| 16                                       | MR. NOVIKOFF: Objection to form. 2:57:51PM               | 16                                       | Plaintiff's Exhibit 5 for identification, as              |
| 17                                       | A I believe the old one was broken. 2:57:52PM            | 17                                       | of this date.)                                            |
| 18                                       | MR. NOVIKOFF: Makes sense. 2:57:55PM                     | 18                                       | BY MR. GRAFF: 3:03:05PM                                   |
| 19                                       | BY MR. GRAFF: 2:57:56PM                                  | 19                                       | <b>Q Mr. Carollo, looking first at the 3:03:06PM</b>      |
| 20                                       | <b>Q Do you recall having any discussions 2:58:00PM</b>  | 20                                       | <b>document that's been marked Exhibit 4, do you</b>      |
| 21                                       | <b>with anyone at the police department about that?</b>  | 21                                       | <b>recognize what's depicted here as something</b>        |
| 22                                       | MR. NOVIKOFF: Objection to the form. 2:58:06PM           | 22                                       | <b>you've seen before?</b>                                |
| 23                                       | A I think everyone knew it was broken. 2:58:09PM         | 23                                       | <b>Were you thinking about the question? 3:04:31PM</b>    |
| 24                                       | <b>Q And for how long was it broken before 2:58:12PM</b> | 24                                       | A No, I'm thinking about whether I've 3:04:33PM           |
| 25                                       | <b>the new system was installed?</b>                     | 25                                       | seen it because I don't want to answer a                  |
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| Page 68                                  |                                                          | Page 69                                  |                                                           |
| 1                                        | <b>PAUL CAROLLO</b>                                      | 1                                        | <b>PAUL CAROLLO</b>                                       |
| 2                                        | question that I'm making an assumption on.               | 2                                        | making more of an assumption than I can say,              |
| 3                                        | <b>Q Have you seen anything similar to the 3:05:02PM</b> | 3                                        | yeah, this definitely is what I saw there.                |
| 4                                        | <b>writing on Exhibit 4?</b>                             | 4                                        | MR. NOVIKOFF: Is the question, Ari, 3:06:04PM             |
| 5                                        | MR. NOVIKOFF: Objection. 3:05:05PM                       | 5                                        | has he seen anything on the wall referring                |
| 6                                        | MR. CONNOLLY: Objection. 3:05:06PM                       | 6                                        | to Lamm different than what's on Exhibit 4?               |
| 7                                        | A My problem with the question is I'd 3:05:15PM          | 7                                        | MR. GRAFF: That may be the same or 3:06:12PM              |
| 8                                        | only end up answering it on an assumption.               | 8                                        | may be different.                                         |
| 9                                        | <b>Q What's the assumption? 3:05:21PM</b>                | 9                                        | BY MR. GRAFF: 3:06:15PM                                   |
| 10                                       | MR. NOVIKOFF: Note my objection. 3:05:22PM               | 10                                       | <b>Q Do you have an actual memory of seeing 3:06:15PM</b> |
| 11                                       | A My assumption, it could be on a 3:05:23PM              | 11                                       | <b>anything that had the name Lamm on the bathroom</b>    |
| 12                                       | bathroom wall.                                           | 12                                       | <b>wall?</b>                                              |
| 13                                       | <b>Q What bathroom wall? 3:05:28PM</b>                   | 13                                       | MR. NOVIKOFF: Objection. Form. 3:06:20PM                  |
| 14                                       | A In the station. 3:05:29PM                              | 14                                       | Asked and answered.                                       |
| 15                                       | <b>Q In the Ocean Beach police station. 3:05:31PM</b>    | 15                                       | A There was a few derogatory things on 3:06:22PM          |
| 16                                       | A I don't really remember seeing it. 3:05:37PM           | 16                                       | the bathroom wall. I'd like to say that, yeah,            |
| 17                                       | That's why it's more of an assumption. I don't           | 17                                       | this was definitely something I saw.                      |
| 18                                       | really remember seeing these.                            | 18                                       | <b>Q Can you think of any derogatory things 3:06:34PM</b> |
| 19                                       | MR. NOVIKOFF: That answers it. 3:05:45PM                 | 19                                       | <b>that were written on the wall that you</b>             |
| 20                                       | BY MR. GRAFF: 3:05:46PM                                  | 20                                       | <b>definitely can remember? A different</b>               |
| 21                                       | <b>Q Do you recall seeing any writings on 3:05:46PM</b>  | 21                                       | <b>question --</b>                                        |
| 22                                       | <b>the Ocean Beach Police Department wall that</b>       | 22                                       | MR. NOVIKOFF: Are you withdrawing the 3:07:07PM           |
| 23                                       | <b>referred to the name Lamm?</b>                        | 23                                       | question?                                                 |
| 24                                       | A There was different things written all 3:05:53PM       | 24                                       | A In -- 3:07:15PM                                         |
| 25                                       | over the place on the wall. That's why I'm               |                                          |                                                           |
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| <p style="text-align: center;">Page 70</p> <p>1 PAUL CAROLLO<br/>2 BY MR. GRAFF: 3:07:17PM<br/>3 Q Were you going to be able to answer 3:07:18PM<br/>4 that?<br/>5 A The Snyderized one is probably a 3:07:29PM<br/>6 little more familiar to me than the other.<br/>7 Q That's Carollo Exhibit 5? 3:07:35PM<br/>8 A That's really -- I can't say I 3:07:57PM<br/>9 definite saw that, I definitely remember that.<br/>10 There's derogatory things written on the walls.<br/>11 I don't remember the exact things or exactly<br/>12 why.<br/>13 Q And do you recall specifically who any 3:08:09PM<br/>14 of the derogatory things referred to?<br/>15 MR. NOVIKOFF: Objection. Asked and 3:08:16PM<br/>16 answered.<br/>17 A There's a few names on there, I 3:08:22PM<br/>18 believe. I believe I even saw George's name on<br/>19 there.<br/>20 Q Other than George's name, can you 3:08:28PM<br/>21 remember any others?<br/>22 MR. CONNOLLY: That would be George 3:08:33PM<br/>Hesse?<br/>23 THE WITNESS: Yeah. 3:08:35PM<br/>24 A See, I'm not sure about the woman part 3:08:43PM<br/>TSG Reporting - Worldwide (877) 702-9580</p>                                                                                          | <p style="text-align: center;">Page 71</p> <p>1 PAUL CAROLLO<br/>2 in there also. I may have just heard people say<br/>3 Snyderized.<br/>4 Q Can you remember anybody you heard say 3:08:50PM<br/>5 Snyderized?<br/>6 A No. 3:08:56PM<br/>7 Q And going back to Exhibit 4, do you 3:08:57PM<br/>remember seeing any part of that writing on the<br/>9 wall?<br/>10 MR. NOVIKOFF: Note my objection. I 3:09:07PM<br/>11 think the witness already testified that<br/>12 anything he would be doing would be based on<br/>13 an assumption.<br/>14 THE WITNESS: Yeah. 3:09:17PM<br/>15 BY MR. GRAFF: 3:09:23PM<br/>16 Q And on Exhibit 5, do you remember 3:09:23PM<br/>17 seeing any specific portion of Exhibit 5 on the<br/>18 wall?<br/>19 A Yes, I don't know. Maybe there was 3:09:50PM<br/>just a Snyderized on it and then something on<br/>21 the top. Obviously different things were<br/>written in here at different times.<br/>22 Q Do you remember what you saw written 3:10:00PM<br/>about George?<br/>23 A No. 3:10:03PM<br/>TSG Reporting - Worldwide (877) 702-9580</p>                                          |
| <p style="text-align: center;">Page 72</p> <p>1 PAUL CAROLLO<br/>2 Q With reference to George? 3:10:03PM<br/>3 Other than George and possibly 3:10:05PM<br/>4 Snyderized, do you remember any other names that<br/>5 you saw written on the wall?<br/>6 MR. NOVIKOFF: Objection. Asked and 3:10:11PM<br/>7 answered.<br/>8 A No. I think the only thing I remember 3:10:22PM<br/>9 about Hesse is probably where you're standing<br/>and you're there. I don't even know what it<br/>11 said or what it didn't say. I just remember<br/>12 H-E-S-S-E.<br/>13 Q If I said "George was here," would 3:10:33PM<br/>14 that refresh your recollection as to what was<br/>15 said with reference to George Hesse?<br/>16 A Yeah. Actually, yeah. 3:10:39PM<br/>17 Q Do you recall that's what it said? 3:10:41PM<br/>18 A I think there may have been things 3:10:46PM<br/>19 added to it later. I can't totally remember<br/>now. It was an ongoing thing. Who paid any<br/>21 attention to this crap.<br/>22 Q Did anybody ever make any statements 3:10:55PM<br/>23 to you about anything written on the bathroom in<br/>24 the Ocean Beach Police Department?<br/>25 A No. 3:11:01PM<br/>TSG Reporting - Worldwide (877) 702-9580</p> | <p style="text-align: center;">Page 73</p> <p>1 PAUL CAROLLO<br/>2 MR. GRAFF: I'd ask the court reporter 3:11:05PM<br/>3 to please mark as Carollo Exhibit 6 a<br/>4 one-page document bearing Bates No. P 925.<br/>5 (Whereupon, a one-page document 3:11:15PM<br/>6 bearing Bates No. P 925 was marked as<br/>7 Plaintiff's Exhibit 6 for identification, as<br/>8 of this date.)<br/>9 BY MR. GRAFF: 3:11:34PM<br/>10 Q Mr. Carollo, do you recognize what's 3:11:36PM<br/>11 depicted on Exhibit 6 as something you've seen<br/>12 before? (Handing.)<br/>13 A This I've never seen. 3:11:43PM<br/>14 Q Have you ever heard anyone at the -- 3:11:45PM<br/>15 any employee of Ocean Beach refer to Kevin Lamm<br/>16 as gay or homosexual?<br/>17 A There was never an intense 3:12:04PM<br/>18 conversation. I guess I've heard that.<br/>19 Q Do you recall who said that? 3:12:08PM<br/>20 A No. 3:12:09PM<br/>21 Q Do you recall who might have been 3:12:18PM<br/>22 present when that was said?<br/>23 MR. NOVIKOFF: Who might have been 3:12:21PM<br/>24 present?<br/>25 TSG Reporting - Worldwide (877) 702-9580</p> |

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1 PAUL CAROLLO  
2 BY MR. GRAFF: 3:12:23PM  
3 Q Who was present when that was said. 3:12:23PM  
4 A I mean, I think that was only one time 3:12:25PM  
5 I heard that in jest or whatever. So I don't  
6 think, you know -- I can't specifically remember  
7 any exact instant that I heard it, no.  
8 Q Even if you don't remember the 3:12:42PM  
9 specific time that it was said, do you remember  
10 who it was who said words to that effect?  
11 MR. CONNOLLY: Objection. I believe 3:12:56PM  
12 it's been asked and answered.  
13 A It probably had been different people 3:13:04PM  
14 even, not one specific person even.  
15 Q Do you recall -- 3:13:10PM  
16 A That's why I couldn't say yeah, this 3:13:11PM  
17 person specifically said it.  
18 Q Do you recall hearing George Hesse 3:13:14PM  
19 refer to Kevin Lamm as gay, homosexual, fag or  
20 words to that effect?  
21 A I've heard George say things about a 3:13:31PM  
22 lot of people. I'm not sure I can say I  
23 specifically heard him say that or not.  
24 MR. NOVIKOFF: I think that was the 3:13:43PM  
25 answer.  
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1 PAUL CAROLLO  
2 BY MR. GRAFF: 3:13:44PM  
3 Q Are you still thinking about that or 3:13:45PM  
4 is that it?  
5 A Yeah. I can't say that I can 3:13:50PM  
6 definitely say I've heard him definitely say  
7 that. I've heard it. I've heard it probably  
8 from more than -- I don't want to say more than  
9 one -- I don't know how to word it exactly.  
10 It's not like one person said it that I can  
11 remember a specific person. It was only one  
12 time, whatever. Certainly, there was always  
13 reference, I don't know how you want to word it,  
14 you know, about Kevin --  
15 Q And -- 3:14:22PM  
16 A -- in that sense of gay. I don't 3:14:23PM  
17 think it was a serious thing. Serious in the  
18 sense of that someone said, oh, he's gay,  
19 whatever.  
20 Q And do you recall there being 3:14:32PM  
21 references of that nature to anyone other than  
22 Kevin Lamm at the Ocean Beach Police Department?  
23 MR. NOVIKOFF: That someone else was 3:14:41PM  
24 gay?  
25 MR. GRAFF: Yes. 3:14:42PM  
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1 PAUL CAROLLO  
2 BY MR. GRAFF: 3:14:50PM  
3 Q Do you recall other people at the 3:14:51PM  
4 Ocean Beach Police Department referring --  
5 A No. 3:14:54PM  
6 Q Thank you. Let's put aside 3:14:57PM  
7 Exhibits 4, 5 and 6.  
8 The word "Snyderized" on Exhibit 5, 3:15:07PM  
9 other than seeing it written on Exhibit 5, is  
10 that a term that you encountered prior to today?  
11 A Yeah, I've heard that word. 3:15:27PM  
12 Q And do you recall who used that word? 3:15:29PM  
13 A I -- I almost think he was the one 3:15:33PM  
14 that started it.  
15 Q Do you have an understanding of what 3:15:40PM  
16 Snyderized means?  
17 A No -- I guess -- I -- an understanding 3:15:47PM  
18 of what it means? I don't know. Kind of when  
19 you put anything on anything, any reference of  
20 ized, however you want to word it. I mean, the  
21 word is used -- ized, you know, it's used at the  
22 end of a lot of -- not a lot words, but when  
23 it's used, it's kind of like --  
24 Q Do you recall who else was on duty 3:16:24PM  
25 with you on your very first shift as a police  
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1 PAUL CAROLLO  
2 officer at Ocean Beach?  
3 A Who was on shift with me the very 3:16:34PM  
4 first night?  
5 Q Yes. 3:16:37PM  
6 A I don't know if I can say exactly my 3:16:47PM  
7 first night. I'm trying to think if I can say  
8 definitely. I'm not 100 percent sure I remember  
9 my first night. They all kind of run into the  
10 same. I probably worked with the same group of  
11 people most of the time.  
12 Q When you first started working, who 3:17:04PM  
13 were the individuals in that group?  
14 A I remember meeting -- you're talking 3:17:13PM  
15 about when I first started in 2004?  
16 Q Yeah. 3:17:17PM  
17 A I remember -- let's see, there was 3:17:20PM  
18 John -- what's John's last name?  
19 MR. NOVIKOFF: Awly [sic]? 3:17:29PM  
20 THE WITNESS: No. 3:17:32PM  
21 BY MR. GRAFF: 3:17:33PM  
22 Q John Dyer? 3:17:34PM  
23 A John Dyer. I'm trying to remember who 3:17:35PM  
24 used to be with me in the parking lot. John  
25 Dyer, I guess George had come in, myself, Frank,  
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| <p style="text-align: center;">Page 78</p> <p>1 PAUL CAROLLO<br/>2 Kevin was on the shift. You know, there were<br/>3 guys there waiting already. So you had -- there<br/>4 were four or five. Myself, George, Kevin,<br/>5 Frank, John Dyer. I remember John because he<br/>6 had the truck.</p> <p>7 Q And you had referred earlier to a 3:18:11PM<br/>8 parking lot. What lot are you referring to?<br/>9 A The one by the lighthouse, by where 3:18:16PM<br/>10 you meet.</p> <p>11 Q Where you would meet before you went 3:18:20PM<br/>12 on shift?<br/>13 A Yes. 3:18:24PM</p> <p>14 Q Your very first shift that you worked 3:18:29PM<br/>15 at Ocean Beach, do you recall whether that was a<br/>16 night shift?<br/>17 A Yeah, I think it was 9 to 5. 3:18:34PM</p> <p>18 Q Do you recall whether Frank Fiorillo 3:18:36PM<br/>19 was on that shift with you?<br/>20 A I think we worked most of the shifts. 3:18:45PM</p> <p>21 Q Do you recall on your very first 3:18:48PM<br/>22 shift, when you were in the parking lot, any<br/>23 words that were exchanged between Frank Fiorillo<br/>24 and George Hesse?<br/>25 A If you're referring -- I don't know -- 3:19:04PM</p> <p>TSG Reporting - Worldwide (877) 702-9580</p> | <p style="text-align: center;">Page 79</p> <p>1 PAUL CAROLLO<br/>2 if you're referring to an incident that happened<br/>3 in the truck, I don't know if that was my first<br/>4 shift or not.</p> <p>5 Q What incident involving a truck are 3:19:13PM<br/>6 you referring to?<br/>7 A You're talking about when they had a 3:19:20PM<br/>8 fight about washing the truck?</p> <p>9 Q Yes. What are you referring to by 3:19:24PM<br/>10 that?<br/>11 A He asked him to wash the truck and he 3:19:27PM<br/>12 said no.</p> <p>13 MR. NOVIKOFF: This is like Abbott and 3:19:29PM<br/>14 Costello here.</p> <p>15 BY MR. GRAFF: 3:19:32PM</p> <p>16 Q So George Hesse asked Frank Fiorillo 3:19:37PM<br/>17 to wash the truck?<br/>18 A I think to wash the windows. 3:19:39PM</p> <p>19 Q And that was in the parking lot? 3:19:41PM<br/>20 A It was in the truck, I believe. 3:19:43PM</p> <p>21 Q And that was before everybody went on 3:19:45PM<br/>22 duty at the station before the start of the<br/>23 shift?<br/>24 A It was on the way in, yeah. So I 3:19:52PM<br/>25 guess, yeah.</p> <p>TSG Reporting - Worldwide (877) 702-9580</p>                                                             |
| <p style="text-align: center;">Page 80</p> <p>1 PAUL CAROLLO<br/>2 Q And when you worked a shift, would you 3:19:57PM<br/>3 be paid beginning from when you arrived at the<br/>4 parking lot or beginning from when you came on<br/>5 duty at the station or something else?<br/>6 MR. NOVIKOFF: Note my objection. 3:20:10PM<br/>7 MR. CONNOLLY: Objection to form. 3:20:11PM<br/>8 A You would meet at 8:30. Shift started 3:20:18PM<br/>9 at 9:00.<br/>10 Q Thanks. 3:20:23PM<br/>11 MR. GRAFF: I think at this point I do 3:20:30PM<br/>12 have a number of areas to cover, and it's<br/>13 getting late in the day and I don't know how<br/>14 late we'll be able to reach the court.<br/>15 Maybe now would be a good time to call and<br/>16 get some direction from Judge Boyle on the<br/>17 areas you didn't want to answer.<br/>18 MR. CONNOLLY: That's fine. Also at 3:20:47PM<br/>19 this juncture, if we can ask Mr. Carollo as<br/>20 to what his availability is time-wise for<br/>21 tonight.<br/>22 BY MR. GRAFF: 3:20:57PM<br/>23 Q Mr. Carollo, do you have any 3:20:59PM<br/>24 constraint?<br/>25 A No. Only because I had to take time 3:21:02PM</p> <p>TSG Reporting - Worldwide (877) 702-9580</p>                | <p style="text-align: center;">Page 81</p> <p>1 PAUL CAROLLO<br/>2 off of work. I'm not using time.<br/>3 Q Before we go off the record -- 3:21:15PM<br/>4 MR. NOVIKOFF: Assume Judge Boyle says 3:21:18PM<br/>5 that Mr. Carollo has to answer the questions<br/>6 on the subject that you want to ask him on,<br/>7 given what you now see are the answers that<br/>8 are coming, how long do you think this will<br/>9 go?<br/>10 MR. GRAFF: Those questions won't take 3:21:34PM<br/>11 long.<br/>12 MR. NOVIKOFF: I'm not suggesting that 3:21:36PM<br/>13 they would. We've now been doing this for<br/>14 an hour and a half so we have kind of a<br/>15 sense of how the witness answers the<br/>16 questions.<br/>17 MR. GRAFF: At the pace we're going, 3:21:45PM<br/>18 it would likely be a couple of hours.<br/>19 Before we go off, I believe you and I 3:21:55PM<br/>20 had some discussions when we were scheduling<br/>21 the time for your deposition. Do you recall<br/>22 speaking with me about when you wanted to<br/>23 start the deposition time? That is why<br/>24 we're starting at 2:00 instead of earlier in<br/>25 the day.</p> <p>TSG Reporting - Worldwide (877) 702-9580</p> |

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| <p style="text-align: center;">Page 82</p> <p>1 PAUL CAROLLO<br/>2 MR. NOVIKOFF: Ari, we're not going to 3:22:14PM<br/>3 blame you. We're pretty sure it was at the<br/>4 convenience of the witness.<br/>5 MR. GRAFF: Is that accurate? 3:22:19PM<br/>6 THE WITNESS: Yeah. 3:22:20PM<br/>7 MR. GRAFF: Also, as far as the 3:22:22PM<br/>8 location, I believe you had indicated that<br/>9 it was more convenient for you to have the<br/>10 deposition here than in the city, correct?<br/>11 THE WITNESS: Yes. 3:22:30PM<br/>12 MR. GRAFF: Off the record. 3:22:33PM<br/>13 (Whereupon, a discussion was held off 3:22:34PM<br/>14 the record.)<br/>15 MR. GRAFF: I'm going to ask the court 3:29:16PM<br/>16 reporter to mark as Carollo Exhibit 7 a<br/>17 one-page document bearing Bates Number 2662.<br/>18 (Whereupon, a one-page document 3:29:28PM<br/>19 bearing Bates No. 2662 was marked as<br/>20 Plaintiff's Exhibit 7 for identification, as<br/>21 of this date.)<br/>22 BY MR. GRAFF: 3:32:38PM<br/>23 Q Mr. Carollo, do you recognize what's 3:32:39PM<br/>24 been marked as Carollo Exhibit 7?<br/>25 A It's a letter -- I mean do, I 3:32:51PM<br/><br/>TSG Reporting - Worldwide (877) 702-9580</p>                       | <p style="text-align: center;">Page 83</p> <p>1 PAUL CAROLLO<br/>2 recognize it specifically?<br/>3 Q Yes. 3:32:55PM<br/>4 A I mean obviously I see what it is. 3:32:56PM<br/>5 It's not like do I remember this specific<br/>6 letter, no. I mean I see what it is.<br/>7 Q Do you understand what the letter is 3:33:10PM<br/>8 referring to in the first sentence when it says<br/>9 "our annual department meeting"?<br/>10 A Yes. 3:33:16PM<br/>11 MR. NOVIKOFF: Objection. 3:33:17PM<br/>12 BY MR. GRAFF: 3:33:17PM<br/>13 Q Could you explain what that refers to? 3:33:18PM<br/>14 MR. NOVIKOFF: Objection. 3:33:20PM<br/>15 A I believe from the time that I was 3:33:29PM<br/>16 there, there was -- you know, in April, there's<br/>17 a meeting.<br/>18 Q And who, in your experience, attends 3:33:40PM<br/>19 that April meeting?<br/>20 A All the officers. 3:33:45PM<br/>21 Q And is there a general agenda for what 3:33:47PM<br/>22 is discussed at the April meetings?<br/>23 MR. NOVIKOFF: Objection. 3:33:54PM<br/>24 A I'm trying to think. I think I may 3:34:01PM<br/>25 have only been to two of them.<br/><br/>TSG Reporting - Worldwide (877) 702-9580</p>                                                                                          |
| <p style="text-align: center;">Page 84</p> <p>1 PAUL CAROLLO<br/>2 Q Were you at the April meeting in 2006? 3:34:05PM<br/>3 A I assume so. 3:34:20PM<br/>4 Q Do you recall being there? 3:34:23PM<br/>5 A I can't recall it. 3:34:28PM<br/>6 MR. NOVIKOFF: That should make it a 3:34:30PM<br/>7 little shorter.<br/>8 A I'm trying to think of the ones I went 3:34:37PM<br/>9 to. I remember the meetings I went to, so I'm<br/>10 trying to think which years they were. 2004 I<br/>11 was in academy. I didn't go to that.<br/>12 MR. NOVIKOFF: I'm not sure, is there 3:35:21PM<br/>13 a question pending?<br/>14 A I'm trying to think what years I went. 3:35:26PM<br/>15 I went to two of them, I believe. Probably<br/>16 2006, 2007. I don't think I went to the 2005<br/>17 one either. From reading the letter, yes, I was<br/>18 at this one.<br/>19 Q Were you issued a new ID card at this 3:35:50PM<br/>20 meeting?<br/>21 MR. NOVIKOFF: Note my objection. I 3:35:57PM<br/>22 don't know if the witness testified for a<br/>23 fact that he knows he was at this meeting,<br/>24 so there's a foundation problem.<br/>25 A I got a few ID cards. That's why I'm 3:36:16PM<br/><br/>TSG Reporting - Worldwide (877) 702-9580</p> | <p style="text-align: center;">Page 85</p> <p>1 PAUL CAROLLO<br/>2 trying to think -- the bringing of everything, I<br/>3 remember. As far as, you know, that's the<br/>4 date -- I'm going on the assumption of the date.<br/>5 The ID cards, I believe they gave out new ID<br/>6 cards.<br/>7 Q Do you remember if everybody that 3:36:54PM<br/>8 appeared at that meeting was issued a new ID<br/>9 card for the next season?<br/>10 MR. NOVIKOFF: Note my objection. 3:37:01PM<br/>11 A I couldn't answer that, no. 3:37:02PM<br/>12 Q Do you recall -- first of all, if I 3:37:06PM<br/>13 refer to the plaintiffs in this case, do you<br/>14 know who I'm referring to?<br/>15 A Yes. 3:37:12PM<br/>16 Q Do you recall whether any of the 3:37:13PM<br/>17 plaintiffs in this case were present at that<br/>18 meeting at any point?<br/>19 MR. NOVIKOFF: Same objection. 3:37:19PM<br/>20 A The meeting that -- this meeting that 3:37:21PM<br/>21 I'm referring to is the one they were let go.<br/>22 MR. NOVIKOFF: Can you then just ask, 3:37:36PM<br/>23 so I don't have to spend five minutes on it,<br/>24 does this witness recall being at an annual<br/>25 department meeting in which the plaintiffs<br/><br/>TSG Reporting - Worldwide (877) 702-9580</p> |

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1 PAUL CAROLLO  
2 were let go?  
3 MR. GRAFF: Sure. 3:37:45PM  
4 BY MR. GRAFF: 3:37:46PM  
5 Q Do you need me to repeat that 3:37:47PM  
6 question?  
7 A Do we need it for the record? 3:37:50PM  
8 MR. NOVIKOFF: Do you recall attending 3:37:54PM  
9 an annual department meeting during which  
10 time the plaintiffs were not rehired and/or  
let go?  
11 THE WITNESS: Yes. 3:38:04PM  
12 BY MR. GRAFF: 3:38:06PM  
13 Q And do you recall seeing any of the 3:38:18PM  
14 plaintiffs at that meeting?  
15 A Yes. 3:38:22PM  
16 Q And who do you recall seeing? 3:38:22PM  
17 A Frank, Carter, Kevin, and Nofi. I 3:38:29PM  
18 think Snyder was the one that wasn't there.  
19 Q Prior to that meeting, had you spoken 3:38:46PM  
20 with anyone about staffing issues for the coming  
21 season; that is, anyone at the Ocean Beach  
22 Police Department?  
23 A Staffing issues, no. 3:39:00PM  
24 Q When did you first learn that the 3:39:01PM  
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1 PAUL CAROLLO  
2 plaintiffs would not be working the 2006 summer  
3 season?  
4 A I believe at the meeting. 3:39:10PM  
5 Q Prior to the meeting, did anyone say 3:39:13PM  
6 anything to you with respect to the continued or  
7 non-continued employment of the plaintiffs?  
8 MR. NOVIKOFF: Objection. 3:39:26PM  
9 A I don't remember having a discussion 3:39:27PM  
about that.  
10 Q Do you recall discussing with anyone 3:39:29PM  
11 prior to that meeting that the plaintiffs would  
12 be let go at that meeting?  
13 A No, I don't remember that. 3:39:38PM  
14 Q Do you recall discussing with anyone 3:39:43PM  
15 or anyone saying anything to you prior to that  
16 meeting that the plaintiffs would not be working  
17 in the 2006 season?  
18 A Before that, I don't remember having 3:39:53PM  
any conversation with anyone about that.  
19 Q And how at that meeting did you learn 3:39:57PM  
20 that the plaintiffs were let go?  
21 A He called them in first, when 3:40:03PM  
everybody was standing outside. I don't know  
what transpired inside. Then they had left. He  
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1 PAUL CAROLLO  
2 ordered a water taxi for them. I don't know if  
3 it was set up before or he called when, I guess,  
4 he met with the four of them, five of them.  
5 Four of them.  
6 Q And did he meet with them all 3:40:30PM  
7 together, as far as you know?  
8 A I'm not sure, because the majority of 3:40:41PM  
us were outside. We had it -- that was the one  
10 that was in the boat house -- boat house? I  
11 think it was the boat house. I'm trying to  
12 think what building it was. I think it was  
13 that. So everybody was outside, and he was kind  
14 of like form a line. Because I wasn't paying  
15 that much attention to exactly what happened. I  
16 assume he had them in the front of the line.  
17 Were they all altogether are you asking me? I  
18 don't know because we were all outside and there  
was a line that went inside.  
19 Q As best you can remember, were people 3:41:29PM  
20 going in one by one or more than one person at  
21 once?  
22 A It wasn't everybody. Was it two at a 3:41:38PM  
time? One by one? That, I'm not certain.  
23 Q Were you in a line with the plaintiffs 3:41:43PM  
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1 PAUL CAROLLO  
2 at that time, with any of the plaintiffs?  
3 MR. NOVIKOFF: Objection to the form. 3:41:51PM  
4 A No. They were probably ahead because 3:41:53PM  
we were standing outside.  
5 Q Was everybody standing in line with 3:41:57PM  
the plaintiffs at the head of the line at some  
point?  
6 MR. NOVIKOFF: Objection to the form. 3:42:03PM  
7 A It was grouped obviously outside. Was 3:42:19PM  
there one line that went up inside? I think  
11 there was only like a step or something. I  
12 can't totally recall how that exactly went down.  
13 Q Do you recall whether anyone told the 3:42:31PM  
14 people outside to line up?  
15 A I think George set the line up. 3:42:37PM  
16 Q And do you recall whether anyone other 3:42:39PM  
17 than the four plaintiff who were present  
18 actually did line up at that time?  
19 A I don't know. I'm not sure about 3:42:56PM  
that.  
20 Q Did you at any point join the line 3:43:04PM  
21 outside before that meeting?  
22 MR. NOVIKOFF: Objection to form. 3:43:12PM  
23 A Were there any other officers on the 3:43:26PM  
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| <p style="text-align: center;">Page 90</p> <p>1 PAUL CAROLLO<br/>2 line? I'm not sure.<br/>3 <b>Q And as far as you remember, the first 3:43:30PM</b><br/>4 people to go in were the four plaintiffs, either<br/>5 individually or --<br/>6 A I don't remember exactly what went 3:43:37PM<br/>7 before. I certainly remember after, when I<br/>8 realized what had happened.<br/>9 <b>Q How did you realize what had happened? 3:43:42PM</b><br/>10 A Because then it was -- they had come 3:43:44PM<br/>11 out. I guess the rumors spread through<br/>12 everybody.<br/>13 <b>Q Did you see them come out? 3:43:51PM</b><br/>14 A Yes. 3:43:53PM<br/>15 <b>Q Did they come out four together? 3:43:53PM</b><br/>16 A Let me rephrase that. I don't 3:43:57PM<br/>17 remember if they came out the door together. I<br/>18 remember the four of them walking off to the<br/>19 water taxi.<br/>20 <b>Q Did you say anything to them? 3:44:06PM</b><br/>21 A Did I, no. 3:44:07PM<br/>22 <b>Q Did anybody say anything to them that 3:44:08PM</b><br/>you recall at that time?<br/>23 MR. NOVIKOFF: Objection to the form. 3:44:11PM<br/>24 A Did anyone say anything to them? 3:44:19PM<br/>TSG Reporting - Worldwide (877) 702-9580</p> | <p style="text-align: center;">Page 91</p> <p>1 PAUL CAROLLO<br/>2 <b>Q As they were leaving. 3:44:22PM</b><br/>3 MR. NOVIKOFF: Objection to form. 3:44:25PM<br/>4 A I don't remember if anybody said 3:44:27PM<br/>5 anything to them.<br/>6 <b>Q Do you remember if anyone said 3:44:31PM</b><br/>7 anything about them?<br/>8 A Yeah, a lot of people thought it was 3:44:34PM<br/>funny.<br/>10 <b>Q Thought that what was funny? 3:44:39PM</b><br/>11 A Them getting fired. 3:44:40PM<br/>12 <b>Q Other than the fact that you saw them 3:44:44PM</b><br/>walking away from the station, did you have any<br/>14 other reason to believe that they had been<br/>fired?<br/>16 MR. NOVIKOFF: Objection. 3:44:55PM<br/>17 A Rephrase that. 3:45:02PM<br/>18 <b>Q What was the basis for your believing 3:45:04PM</b><br/>that they had been fired?<br/>20 A People were talking about it. 3:45:08PM<br/>21 <b>Q Do you remember who was talking about 3:45:13PM</b><br/>it?<br/>23 A Not specifically. Everybody. 3:45:14PM<br/>24 <b>Q Do you remember any of the other 3:45:16PM</b><br/>people who were there as part of that group?<br/>TSG Reporting - Worldwide (877) 702-9580</p>                                                                       |
| <p style="text-align: center;">Page 92</p> <p>1 PAUL CAROLLO<br/>2 A Everybody. I mean the whole 3:45:20PM<br/>3 department was there. The department was there,<br/>4 you know. Every specific person, you know. I<br/>5 would say certainly three-quarters of them were<br/>6 there.<br/>7 <b>Q And do you recall anything that was 3:45:36PM</b><br/>said about them as they were leaving?<br/>9 A Specifics, no. There was a lot of 3:45:46PM<br/>10 animosity and a lot of people thought it was<br/>11 funny. Not animosity, might not be the totally<br/>12 right word. There were a lot of things people<br/>13 didn't like about them.<br/>14 MR. NOVIKOFF: Can you just read pack 3:46:01PM<br/>15 that last sentence.<br/>16 (Whereupon, the referred to portion 3:46:19PM<br/>17 was read back by the court reporter:<br/>18 Specifics, no. There was a lot of animosity<br/>19 and a lot of people thought it was funny.<br/>20 Not animosity, might not be the totally<br/>21 right word. There were a lot of things<br/>22 people didn't like about them.)<br/>23 BY MR. GRAFF: 3:46:19PM<br/>24 <b>Q Did you think it was funny? 3:46:20PM</b><br/>25 A No. 3:46:21PM<br/>TSG Reporting - Worldwide (877) 702-9580</p>    | <p style="text-align: center;">Page 93</p> <p>1 PAUL CAROLLO<br/>2 <b>Q Do you remember anybody in particular 3:46:22PM</b><br/>3 that did believe it was funny?<br/>4 A I couldn't say particular people. 3:46:33PM<br/>5 Probably more than half.<br/>6 <b>Q I know you said animosity wasn't the 3:46:35PM</b><br/>right word. There was a lot of things people<br/>8 didn't like. What are you referring to by that?<br/>9 A There was always division -- like any 3:46:53PM<br/>10 job, there's divisions everywhere, whether<br/>11 anyone liked the way anybody worked or didn't<br/>12 work, you know.<br/>13 <b>Q Do you remember anything in particular 3:47:17PM</b><br/>that anyone communicated to you about Frank<br/>15 Fiorillo?<br/>16 A The thing, I guess, about Frank, 3:47:29PM<br/>17 people thought that he was more gung-ho.<br/>18 <b>Q What do you mean by that? 3:47:34PM</b><br/>19 A He wrote a lot of tickets. 3:47:36PM<br/>20 <b>Q Was there something wrong with his 3:47:39PM</b><br/>writing tickets?<br/>22 MR. NOVIKOFF: Objection. 3:47:43PM<br/>23 A No. 3:47:45PM<br/>24 MR. NOVIKOFF: Is your question does 3:47:46PM<br/>he think there's something wrong or did he<br/>25 TSG Reporting - Worldwide (877) 702-9580</p> |

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| <p style="text-align: center;">Page 94</p> <p>1 PAUL CAROLLO<br/>2 hear other people communicate what they<br/>3 thought was wrong?<br/>4 BY MR. GRAFF: 3:47:52PM<br/><b>Q Did you think there was something 3:47:53PM</b><br/><b>wrong with Frank writing tickets?</b><br/>7 A No. It could've been a little more 3:47:59PM<br/>8 discretion now and then. But I wouldn't say<br/>9 there was anything illegal, if that's the<br/>10 question.<br/><b>Q Was it part of Frank Fiorillo's job to 3:48:07PM</b><br/><b>write tickets?</b><br/>13 A Yes. 3:48:11PM<br/><b>Q Do you recall any specific person who 3:48:14PM</b><br/><b>communicated to you that they thought there was</b><br/><b>something wrong with Frank writing tickets?</b><br/>17 MR. NOVIKOFF: Objection to the form 3:48:24PM<br/>18 of the question.<br/>19 A Well, I think it's, you know, Frank 3:48:26PM<br/>20 probably wrote half the tickets in the<br/>21 department.<br/>22 (Whereupon, Judge Boyle called into 3:48:34PM<br/>23 the deposition for a ruling.)<br/>24 JUDGE BOYLE: Who is on the line? 3:48:34PM<br/>25 MR. GRAFF: This is Ari Graff from the 3:49:31PM<br/><br/>TSG Reporting - Worldwide (877) 702-9580</p>                                                                              | <p style="text-align: center;">Page 95</p> <p>1 PAUL CAROLLO<br/>2 law firm of Thompson Wigdor and Gilly for<br/>3 the plaintiffs.<br/>4 MR. NOVIKOFF: On behalf of all the 3:49:37PM<br/>5 village defendants, except Mr. Hesse, Ken<br/>6 Novikoff, Rivkin Radler, LLP.<br/>7 MR. CONNOLLY: On behalf of defendant 3:49:44PM<br/>8 Hesse, Kevin W. Connolly of Marks O'Neil.<br/>9 JUDGE BOYLE: And is the witness 3:49:50PM<br/>10 present?<br/>11 MR. GRAFF: The witness is present, 3:49:52PM<br/>12 your Honor.<br/>13 JUDGE BOYLE: Could you identify 3:49:55PM<br/>14 yourself for the record, please?<br/>15 THE WITNESS: Paul Carollo. 3:49:57PM<br/>16 JUDGE BOYLE: I'm having trouble 3:50:01PM<br/>17 hearing you.<br/>18 THE WITNESS: Paul Carollo. 3:50:06PM<br/>19 JUDGE BOYLE: Mr. Graff, do you have 3:50:10PM<br/>20 your court reporter there?<br/>21 MR. GRAFF: Yes. We do. 3:50:21PM<br/>22 JUDGE BOYLE: We're also transcribing 3:50:27PM<br/>23 it on this end. Would you like to be heard,<br/>24 Mr. Graff?<br/>25 MR. GRAFF: Yes, thank you, your 3:50:32PM<br/><br/>TSG Reporting - Worldwide (877) 702-9580</p>                                                                                                                          |
| <p style="text-align: center;">Page 96</p> <p>1 PAUL CAROLLO<br/>2 Honor. There have been a couple of areas in<br/>3 questioning that have come up that<br/>4 Mr. Carollo has indicated that he's not<br/>5 comfortable and not willing to answer<br/>6 without counsel present, specifically the<br/>7 events surrounding the ending of his<br/>8 employment at Ocean Beach and other cases in<br/>9 which he has given sworn testimony. I've<br/>10 asked Mr. Carollo to answer the questions,<br/>11 and on the basis of not having counsel<br/>12 present, he's declined to answer. I was<br/>13 hoping that we could get some guidance on<br/>14 that from the court.<br/>15 JUDGE BOYLE: I have no idea what 3:51:28PM<br/>16 you're referring to. Do you want to have<br/>17 the court reporter read back a sampling?<br/>18 MR. GRAFF: It would take a bit of 3:51:41PM<br/>19 time to find it. I could be more specific.<br/>20 My understanding is that Mr. Carollo was one<br/>21 of the Ocean Beach police officers who was<br/>22 indicted at the same time as George Hesse<br/>23 and that precipitated the end of his<br/>24 employment. The questions related to the<br/>25 circumstances of his indictment and his<br/><br/>TSG Reporting - Worldwide (877) 702-9580</p> | <p style="text-align: center;">Page 97</p> <p>1 PAUL CAROLLO<br/>2 involvement in Mr. Hesse's criminal trial<br/>3 and how that related to his no longer<br/>4 continuing to work at Ocean Beach. I don't<br/>5 know if Mr. Carollo wanted to add anything<br/>6 to that, if that's also his understanding.<br/>7 MR. NOVIKOFF: Your Honor, this is 3:52:20PM<br/>8 Mr. Novikoff. I do not represent<br/>9 Mr. Carollo.<br/>10 Before Mr. Carollo speaks and, I 3:52:27PM<br/>11 guess, advises the Court why he has issues<br/>12 with that question, I was not going to<br/>13 object, obviously on the grounds of<br/>14 relevancy, because I can't. But now since<br/>15 Your Honor is on the phone. The fact that<br/>16 the criminal trial is over, the defendants<br/>17 who went in front of a jury were found not<br/>18 guilty, leads me to a position that whatever<br/>19 relevancy there may have been to this issue,<br/>20 to this lawsuit, there is none anymore. But<br/>21 like I said, I understand I can't object to<br/>22 any of these questions on the basis of<br/>23 relevancy.<br/>24 JUDGE BOYLE: Mr. Carollo was tried 3:53:02PM<br/>25 with Mr. Hesse and was similarly acquitted;<br/><br/>TSG Reporting - Worldwide (877) 702-9580</p> |

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| <p style="text-align: center;">Page 98</p> <p>1           PAUL CAROLLO<br/>2       is that my understanding?<br/>3       MR. NOVIKOFF: Mr. Carollo?           3:53:08PM<br/>4       THE WITNESS: No.                      3:53:09PM<br/>5       JUDGE BOYLE: Was he convicted?      3:53:10PM<br/>6       MR. NOVIKOFF: I believe he pled, but 3:53:11PM<br/>7       I'll let Mr. Carollo speak.<br/>8       JUDGE BOYLE: I didn't hear what you 3:53:16PM<br/>9       said.<br/>10      MR. NOVIKOFF: I believe he pled, but 3:53:27PM<br/>11      I'll let Mr. Carollo speak.<br/>12      JUDGE BOYLE: Mr. Carollo, would you 3:53:27PM<br/>13      like to be heard?<br/>14      THE WITNESS: I was subpoenaed to a 3:53:31PM<br/>15      deposition. I felt as though I'm here as a<br/>16      representative of Ocean Beach. I was an<br/>17      employee at that time. I was denied<br/>18      counsel. I was involved in a criminal case<br/>19      and, without counsel, I think that those<br/>20      issues I don't need to get into during this<br/>21      deposition because they are two separate<br/>22      incidents.<br/>23      JUDGE BOYLE: All right. I have no 3:54:10PM<br/>24      idea what those issues are. Let me just<br/>25      explain to you what your rights are. You</p> <p>TSG Reporting - Worldwide (877) 702-9580</p>                                            | <p style="text-align: center;">Page 99</p> <p>1           PAUL CAROLLO<br/>2       have the right to refuse to answer a<br/>3       question in order to assert a matter of<br/>4       privilege. A matter of privilege would<br/>5       include the privilege against<br/>6       self-incrimination.<br/>7       Have you been sentenced yet?           3:54:31PM<br/>8       THE WITNESS: I did not take a plea. 3:54:36PM<br/>9       JUDGE BOYLE: You took a plea --      3:54:39PM<br/>10      THE WITNESS: I didn't take a plea. 3:54:42PM<br/>11      The case was dismissed.<br/>12      JUDGE BOYLE: You didn't take a plea? 3:54:45PM<br/>13      MR. NOVIKOFF: Then I stand corrected, 3:54:46PM<br/>14      your Honor. I apologize. I was under a<br/>15      misinterpretation then.<br/>16      JUDGE BOYLE: That's fine. Your case 3:54:52PM<br/>17      was dismissed and you testified against<br/>18      Mr. Hesse at trial?<br/>19      THE WITNESS: Yes.                      3:55:00PM<br/>20      JUDGE BOYLE: I don't have enough 3:55:05PM<br/>21      information before me to know whether or not<br/>22      you have any kind of a self-incrimination<br/>23      privilege with regard to the particular<br/>24      questions. But privilege is the only basis<br/>25      on which you could refuse to answer</p> <p>TSG Reporting - Worldwide (877) 702-9580</p>     |
| <p style="text-align: center;">Page 100</p> <p>1           PAUL CAROLLO<br/>2       questions that Mr. Graff puts to you,<br/>3       whether you have an attorney or not. So in<br/>4       the event that you feel that there is a<br/>5       legitimate privilege that you wish to<br/>6       assert, and it would appear to me that the<br/>7       only relevant one at this point that I can<br/>8       imagine would be the privilege against<br/>9       self-incrimination, you can plead that and<br/>10      then Mr. Graff can make a motion to me on<br/>11      notice to you; and you'll be brought into<br/>12      court, and I'll make a decision whether or<br/>13      not you have legitimately invoked your Fifth<br/>14      Amendment privilege or not. Attorney-client<br/>15      privilege is another privilege. I don't<br/>16      know.</p> <p>17      Mr. Graff, you don't give me any help 3:56:09PM<br/>18      as far as what your questions are. So it's<br/>19      virtually impossible for me to make any<br/>20      determinations as far as the legitimacy or<br/>21      illegitimacies of any refusal to answer<br/>22      here.</p> <p>23      MR. GRAFF: I understand, your Honor. 3:56:25PM<br/>24      The scope of questions that Mr. Carollo<br/>25      indicated that he wouldn't be comfortable</p> <p>TSG Reporting - Worldwide (877) 702-9580</p> | <p style="text-align: center;">Page 101</p> <p>1           PAUL CAROLLO<br/>2       answering relate to, as I understand it,<br/>3       anything that happened in connection with<br/>4       his employment at Ocean Beach beginning in<br/>5       the early part of 2007. We didn't get as<br/>6       far as specific questions that were objected<br/>7       to on precise questions. It was a broader<br/>8       category.</p> <p>9       JUDGE BOYLE: Okay. Thank you. I 3:56:54PM<br/>10      didn't realize that.</p> <p>11      Mr. Carollo, you can only assert a 3:56:58PM<br/>12      privilege in connection with a particular<br/>13      question.</p> <p>14      THE WITNESS: Your Honor, let me ask 3:57:08PM<br/>15      you this: What do I have legally that I'm<br/>16      here as an employee or I was an employee at<br/>17      the time of the incident that I'm here to be<br/>18      deposed on and I'm refused counsel from the<br/>19      village? I mean, it's a lot of money to<br/>20      hire my own attorney to come here.</p> <p>21      JUDGE BOYLE: Let me answer your 3:57:38PM<br/>22      questions. You're under an obligation to<br/>23      answer the questions that are posed to you<br/>24      by Mr. Graff whether you have a lawyer or<br/>25      not, unless as I stated before there is a</p> <p>TSG Reporting - Worldwide (877) 702-9580</p> |

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| <p style="text-align: center;">Page 102</p> <p>1 PAUL CAROLLO<br/>2 valid assertion of a privilege. I assume<br/>3 your criminal proceeding has been dismissed,<br/>4 and I'm given no reason to believe by you<br/>5 that there's any privilege that's applicable<br/>6 here. You can't simply refuse to answer all<br/>7 categories of questions, nor can you even<br/>8 refuse to answer a particular question<br/>9 unless for the reasons that I stated. So I<br/>10 would suggest you make this as easy as<br/>11 possible. Otherwise, you're just going to<br/>12 be before me ultimately to resolve any<br/>13 issues and you'll have to submit to multiple<br/>14 depositions.</p> <p>15 Do you understand? 3:58:33PM<br/>16 THE WITNESS: Yes. 3:58:34PM<br/>17 JUDGE BOYLE: Any questions you want 3:58:36PM<br/>18 to ask me?<br/>19 THE WITNESS: No. I think I asked my 3:58:39PM<br/>20 questions.<br/>21 JUDGE BOYLE: Anything further on 3:58:45PM<br/>22 either side?<br/>23 MR. NOVIKOFF: No, your Honor. 3:58:48PM<br/>24 MR. GRAFF: No. 3:58:51PM<br/>25 JUDGE BOYLE: Do the best you can. 3:58:52PM</p> <p>TSG Reporting - Worldwide (877) 702-9580</p>                                                                                                                                                                           | <p style="text-align: center;">Page 103</p> <p>1 PAUL CAROLLO<br/>2 (Whereupon, Judge Boyle disconnected 8:01:38PM<br/>3 from the deposition.)<br/>4 BY MR. GRAFF: 8:01:42PM<br/>5 Q Mr. Carollo, did anyone communicate to 4:01:53PM<br/>6 you that they thought it was a problem that<br/>7 Frank was writing, as you estimated, half the<br/>8 tickets in the department?<br/>9 A Repeat that. 4:02:15PM<br/>10 Q Did anyone tell you that they thought 4:02:16PM<br/>11 it was a problem that Frank was writing those<br/>12 tickets?<br/>13 MR. NOVIKOFF: Summons? 4:02:22PM<br/>14 MR. GRAFF: Summons. Thank you. 4:02:24PM<br/>15 A I think there were times in the middle 4:02:27PM<br/>16 of the night when we'd have a lot of arrests<br/>17 going on and Frank was strictly out writing<br/>18 summonses and calling in for -- to get a blotter<br/>19 number and a log number. He'd be tying up the<br/>20 radio a lot. The dispatcher would be doing<br/>21 something. It would frustrate them.<br/>22 Q And was that, as you understood it, a 4:03:06PM<br/>23 matter of inconvenience of having to call in the<br/>24 blotter number or was it impeding the arrests<br/>25 you indicated were going on?</p> <p>TSG Reporting - Worldwide (877) 702-9580</p> |
| <p style="text-align: center;">Page 104</p> <p>1 PAUL CAROLLO<br/>2 MR. NOVIKOFF: Objection. 4:03:19PM<br/>3 A Reword that. 4:03:19PM<br/>4 Q What was the nature of the objection 4:03:21PM<br/>5 to Frank calling in for blotter numbers in<br/>6 connection with those summonses?<br/>7 A Sometimes the station would be filled 4:03:35PM<br/>8 with drunks, you know, and fighting and whatnot.<br/>9 And, you know, I don't know if I'd use the word<br/>10 inconvenienced, but there would be things going<br/>11 on that the department took as a little more<br/>12 important at the time than a summons.<br/>13 Q And did the summons that Frank was 4:03:58PM<br/>14 writing impede the enforcement of other laws by<br/>15 other officers? Did it prevent those officers<br/>16 from enforcing the law at that time?<br/>17 MR. NOVIKOFF: Objection. 4:04:12PM<br/>18 A I don't understand that question. 4:04:17PM<br/>19 Q Did it prevent anyone from being able 4:04:18PM<br/>20 to carry out their own law enforcement duties<br/>21 when Frank was writing summonses?<br/>22 MR. NOVIKOFF: Objection. 4:04:26PM<br/>23 A If you had a station filled with guys 4:04:27PM<br/>24 that, you know, might be -- that are drunk and<br/>25 disorderly, you're taking the time from the</p> <p>TSG Reporting - Worldwide (877) 702-9580</p> | <p style="text-align: center;">Page 105</p> <p>1 PAUL CAROLLO<br/>2 dispatcher, it could.<br/>3 Q And do you recall that that actually 4:04:39PM<br/>4 happened, the scenario that you're describing?<br/>5 MR. NOVIKOFF: Objection. 4:04:44PM<br/>6 A Yeah. 4:04:45PM<br/>7 Q And was it -- did you ever believe 4:04:50PM<br/>8 that there were law enforcement activities that<br/>9 were being impeded because of Frank's summonses?<br/>10 MR. NOVIKOFF: Objection. I thought 4:05:04PM<br/>11 he just answered yes.<br/>12 A Ask me the question again. 4:05:11PM<br/>13 Q Did you personally experience events 4:05:13PM<br/>14 that led you to believe that Frank's summons<br/>15 writing were preventing other law enforcement<br/>16 activities in Ocean Beach?<br/>17 A I don't know if I would use the word 4:05:25PM<br/>18 preventing. You know, did anything actually end<br/>19 up arising out of it? No. Was there some<br/>20 potential there? I guess, perhaps.<br/>21 Q Did it ever come to pass that you're 4:05:43PM<br/>22 aware of that law enforcement activities were<br/>23 prevented from happening because of Frank's<br/>24 summonses?<br/>25 A No. 4:05:53PM</p> <p>TSG Reporting - Worldwide (877) 702-9580</p>                           |

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| <p style="text-align: center;">Page 106</p> <p>1 PAUL CAROLLO<br/>2 Q Do you recall whether any particular 4:06:00PM<br/>3 individuals at the Ocean Beach Police Department<br/>4 had that objection to Frank's law enforcement<br/>5 activities?<br/>6 MR. NOVIKOFF: Objection to the form. 4:06:11PM<br/>7 A Say it again. 4:06:16PM<br/>8 Q Do you recall whether any specific 4:06:18PM<br/>9 people, whether there were any individuals who<br/>10 particularly had a problem with Frank's summons<br/>11 writing?<br/>12 A A couple of specific times I'm 4:06:27PM<br/>13 referring to I can remember George being pissed<br/>14 off about it. As I said, you know, Frank wrote<br/>15 half the summonses in the department. So he was<br/>16 certainly way ahead of everybody else's -- let<br/>17 me reword it. Ask me the question again.<br/>18 MR. GRAFF: Could we read it back. 4:07:18PM<br/>19 (Whereupon, the requested portion was 4:07:20PM<br/>20 read back by the court reporter: Do you<br/>21 recall whether any specific people, whether<br/>22 there were any individuals who particularly<br/>23 had a problem with Frank's summons writing?)<br/>24 MR. NOVIKOFF: Now that it's read 4:07:35PM<br/>25 back, I'll object.</p> <p>TSG Reporting - Worldwide (877) 702-9580</p> | <p style="text-align: center;">Page 107</p> <p>1 PAUL CAROLLO<br/>2 A I don't remember specific people. I 4:07:42PM<br/>3 know there were a few people.<br/>4 Q You had mentioned that you remember 4:07:46PM<br/>5 George was upset about it.<br/>6 A Yeah. 4:07:52PM<br/>7 Q How did you -- 4:07:52PM<br/>8 A I remember being in the station, I 4:07:54PM<br/>9 would say not more than two times, of, you know,<br/>10 in the middle of the night, 12:00. I'm using<br/>11 that time. Maybe I shouldn't use any time at<br/>12 all. In the middle of the night, where it was<br/>13 really busy in the station, and he was calling<br/>14 in for a blotter.<br/>15 Q Do you remember what the specific 4:08:19PM<br/>16 grounds for the summons that Frank had issued at<br/>17 those specific occasions were?<br/>18 A No. 4:08:29PM<br/>19 MR. NOVIKOFF: Objection. 4:08:30PM<br/>20 BY MR. GRAFF: 4:08:30PM<br/>21 Q And what was the basis for you 4:08:31PM<br/>22 concluding that George Hesse was upset or angry<br/>23 about that?<br/>24 MR. NOVIKOFF: He said "pissed off" to 4:08:39PM<br/>25 begin with and then he said "upset."<br/><br/>TSG Reporting - Worldwide (877) 702-9580</p>                                                      |
| <p style="text-align: center;">Page 108</p> <p>1 PAUL CAROLLO<br/>2 A Yeah, you know, just that. 4:08:45PM<br/>3 Q And how did he indicate to you -- what 4:08:46PM<br/>4 led you to perceive that?<br/>5 A I don't know specifically me, just in 4:08:52PM<br/>6 general. What the hell. You know, I can't<br/>7 remember exactly. You kind of know when<br/>8 someone's pissed off.<br/>9 Q Other than Frank writing summonses, 4:08:59PM<br/>10 can you think of any other issues that upset<br/>11 people in connection with Frank Fiorillo's work<br/>12 at Ocean Beach?<br/>13 MR. NOVIKOFF: Objection. 4:09:16PM<br/>14 A No. 4:09:17PM<br/>15 Q And other than George Hesse, can you 4:09:17PM<br/>16 think of anyone else who had a problem with<br/>17 Frank's summons writing or --<br/>18 A Yeah, I don't know that people -- I 4:09:25PM<br/>19 wouldn't say that there like was anyone that --<br/>20 I don't know about a problem with it.<br/>21 Obviously, you know, if someone writes<br/>22 50 percent of the summonses, everybody's like,<br/>23 you know, humorous.<br/>24 Q I'm not sure if I understood. 4:09:44PM<br/>25 A I'm not sure people went around saying 4:09:47PM<br/><br/>TSG Reporting - Worldwide (877) 702-9580</p>                                              | <p style="text-align: center;">Page 109</p> <p>1 PAUL CAROLLO<br/>2 I hate Frank Fiorillo because he writes so many<br/>3 summonses or they just found it humorous that he<br/>4 wrote -- you know, made fun of him about it or<br/>5 whatever.<br/>6 Q Can you recall anyone in particular 4:10:14PM<br/>7 who made fun of him?<br/>8 A It was more than one person. I can't 4:10:18PM<br/>9 say.<br/>10 Q Do you recall George Hesse making fun 4:10:22PM<br/>11 of Frank about it?<br/>12 A As I indicated about being pissed off. 4:10:29PM<br/>13 I don't know if I ever specifically saw him<br/>14 making fun of him about it. I'm sure at one<br/>15 point he probably made a little bit of fun of<br/>16 him about it.<br/>17 Q And what about Joe Nofi? What were 4:10:41PM<br/>18 the grounds that you understood for people to<br/>19 have animosity towards him or think it was funny<br/>20 that he had been terminated?<br/>21 MR. NOVIKOFF: I'm going to object 4:10:57PM<br/>22 only to the form of the question only to the<br/>23 extent that I think this witness said that<br/>24 animosity is probably not the best word.<br/>25 MR. GRAFF: I'm not trying to nail him 4:11:05PM<br/><br/>TSG Reporting - Worldwide (877) 702-9580</p> |

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| 1 PAUL CAROLLO<br>2 to the word.<br>3 A Ask me the question again now about 4:11:16PM<br>4 Nofi.<br>5 Q What were the reasons that you 4:11:19PM<br>6 believed that people thought it was humorous or<br>7 that they were happy that Joe Nofi was<br>8 terminated?<br>9 MR. NOVIKOFF: Again, we have the 4:11:29PM<br>10 agreement between terminated and not<br>11 rehired, right?<br>12 MR. GRAFF: Right. 4:11:34PM<br>13 MR. CONNOLLY: Objection. 4:11:35PM<br>14 MR. GRAFF: And just for Mr. Carollo's 4:11:36PM<br>15 benefit. It's an issue in the lawsuit.<br>16 Both sides have different ways that we like<br>17 to, for our own clients, characterize them<br>18 as no longer working at Ocean Beach,<br>19 termination, laid off, not rehired.<br>20 MR. NOVIKOFF: For the purposes of the 4:11:52PM<br>21 question, it all means the same thing.<br>22 THE WITNESS: Okay. 4:11:56PM<br>23 MR. GRAFF: Does that make sense? 4:11:59PM<br>24 THE WITNESS: Yes. 4:12:00PM<br>25 A It doesn't matter how I word it -- my 4:12:01PM<br><br>TSG Reporting - Worldwide (877) 702-9580                                           | Page 110<br><br>1 PAUL CAROLLO<br>2 feeling of it has nothing to do with how you ask<br>3 the question?<br>4 Q Or you shouldn't read anything into 4:12:07PM<br>5 the words I use. I'm referring to the same<br>6 thing either way.<br>7 A Okay. Nofi. I don't know. I think 4:12:14PM<br>8 he's the type of person that, just meeting him,<br>9 you know a lot of people are going to make fun<br>10 of him. Just the way he speaks and whatnot.<br>11 Q What about the way he speaks? 4:12:33PM<br>12 A I don't know how to describe it 4:12:37PM<br>13 exactly. I wouldn't word it like, you know, an<br>14 Italian from Brooklyn or something to that<br>15 effect but something in that realm.<br>16 Q Something to do with his accent? 4:12:57PM<br>17 A I don't know if it's an accent. His 4:12:59PM<br>18 mannerisms, his whole -- you know, the way he<br>19 speaks and, you know...<br>20 Q In your experience, did you ever 4:13:17PM<br>21 observe Joe Nofi using profanity towards<br>22 civilians in the course of enforcing or carrying<br>23 out his law enforcement duties?<br>24 MR. NOVIKOFF: Objection to 4:13:28PM<br>25 foundation.<br><br>TSG Reporting - Worldwide (877) 702-9580 |
| Page 112<br><br>1 PAUL CAROLLO<br>2 A I don't remember that, no. 4:13:32PM<br>3 Q Do you ever remember hearing or being 4:13:35PM<br>4 told my somebody else that they had heard that<br>5 Joe Nofi had referred to a civilian as a<br>6 motherfucker?<br>7 MR. NOVIKOFF: Objection. No 4:13:45PM<br>8 foundation.<br>9 A No. 4:13:48PM<br>10 Q Would you agree with the following 4:13:58PM<br>11 statement; that is, that it was Joe Nofi's<br>12 customary approach to law enforcement to refer<br>13 to people as motherfuckers?<br>14 MR. NOVIKOFF: Note my objection. 4:14:11PM<br>15 BY MR. GRAFF: 4:14:13PM<br>16 Q Did you observe that to be his 4:14:14PM<br>17 customary manner with the public?<br>18 MR. NOVIKOFF: Note my objection. 4:14:21PM<br>19 A Ask that again. 4:14:23PM<br>20 MR. GRAFF: Do you believe that Joe 4:14:25PM<br>21 Nofi or do you have any reason to believe<br>22 that Joe Nofi's typical mannerism in dealing<br>23 with members of the public in the course of<br>24 his police work was to call members of the<br>25 public motherfuckers.<br><br>TSG Reporting - Worldwide (877) 702-9580 | Page 113<br><br>1 PAUL CAROLLO<br>2 MR. NOVIKOFF: Note my objection. 4:14:39PM<br>3 And I just want to go back and 4:14:40PM<br>4 confirm. This witness didn't notify<br>5 Mr. Nofi as someone regularly on his shift.<br>6 That's the basis of my objection. He was<br>7 never actually assigned to the same tour.<br>8 MR. GRAFF: Thank you. Let me ask 4:14:55PM<br>9 that question first.<br>10 BY MR. GRAFF: 4:14:58PM<br>11 Q Did you ever work on shifts with Joe 4:14:58PM<br>12 Nofi?<br>13 A Yes. 4:15:00PM<br>14 Q And you never observed him call a 4:15:01PM<br>15 civilian a motherfucker?<br>16 MR. NOVIKOFF: Note my objection. 4:15:05PM<br>17 A To them personally, face-to-face? 4:15:06PM<br>18 Q Yes. 4:15:08PM<br>19 A No. 4:15:09PM<br>20 Q And nobody ever told you that they had 4:15:09PM<br>21 seen Joe Nofi call anyone a motherfucker?<br>22 A Yeah, I don't remember anyone saying 4:15:16PM<br>23 that.<br>24 Q Do you know somebody at Ocean Beach 4:15:18PM<br>25 named Chris Moran?<br><br>TSG Reporting - Worldwide (877) 702-9580                                                                                                                                      |

| Page 114                                 |                                                                                                                                                                      | Page 115                                 |    |                                                                                                                                                                                                     |
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| <b>PAUL CAROLLO</b>                      |                                                                                                                                                                      | <b>PAUL CAROLLO</b>                      |    |                                                                                                                                                                                                     |
| 1                                        | A Yes.                                                                                                                                                               | 4:15:23PM                                | 1  | backing up, and he was sitting on the back                                                                                                                                                          |
| 2                                        | <b>Q Did Chris Moran ever tell you that he believed that Joe Nofi had called somebody a motherfucker; that is, a civilian a motherfucker?</b>                        | 4:15:24PM                                | 3  | kicking his feet. I really only remember I was                                                                                                                                                      |
| 3                                        |                                                                                                                                                                      |                                          | 4  | embarrassed because my sister was there. And he                                                                                                                                                     |
| 4                                        |                                                                                                                                                                      |                                          | 5  | was, like, swinging his feet out saying, get out                                                                                                                                                    |
| 5                                        |                                                                                                                                                                      |                                          | 6  | of the way, get out of the way. It just wasn't                                                                                                                                                      |
| 6                                        |                                                                                                                                                                      |                                          | 7  | very professional.                                                                                                                                                                                  |
| 7                                        | A I don't recall hearing that.                                                                                                                                       | 4:15:33PM                                | 8  | <b>Q Do you remember who else was in the area at the time?</b>                                                                                                                                      |
| 8                                        | <b>Q Other than his manner of speech, were there any other reasons that you understood formed the basis for people thinking it was funny that he had been fired?</b> | 4:15:35PM                                | 9  | 4:17:03PM                                                                                                                                                                                           |
| 9                                        |                                                                                                                                                                      |                                          | 10 | A No. The reason I remember is because 4:17:06PM                                                                                                                                                    |
| 10                                       |                                                                                                                                                                      |                                          | 11 | I remember my sister standing there, who came                                                                                                                                                       |
| 11                                       |                                                                                                                                                                      |                                          | 12 | for the day. It was like -- but that's about                                                                                                                                                        |
| 12                                       | MR. NOVIKOFF: Objection.                                                                                                                                             | 4:15:48PM                                | 13 | it.                                                                                                                                                                                                 |
| 13                                       | A Ask me the question again.                                                                                                                                         | 4:15:56PM                                | 14 | <b>Q Do you believe that -- based on your dealings with Joe Nofi or observations of Joe Nofi, did you ever form the belief that he was abusive to the public in his manner of speaking to them?</b> |
| 14                                       | <b>Q Other than his mannerism --</b>                                                                                                                                 | 4:15:57PM                                | 15 | 4:17:18PM                                                                                                                                                                                           |
| 15                                       | A Sorry. I remember the question.                                                                                                                                    | 4:16:03PM                                | 16 | MR. NOVIKOFF: Note my objection. 4:17:30PM                                                                                                                                                          |
| 16                                       | He has a gruff way. I don't know that 4:16:10PM                                                                                                                      |                                          |    |                                                                                                                                                                                                     |
| 17                                       | I ever heard him or anyone indicate to me that                                                                                                                       |                                          |    |                                                                                                                                                                                                     |
| 18                                       | he called somebody a motherfucker to their face                                                                                                                      |                                          |    |                                                                                                                                                                                                     |
| 19                                       | or, you know. If that's what you're asking. He                                                                                                                       |                                          |    |                                                                                                                                                                                                     |
| 20                                       | had, you know -- it was just -- I can explain                                                                                                                        |                                          |    |                                                                                                                                                                                                     |
| 21                                       | one thing he did to me. He didn't do it to me,                                                                                                                       |                                          |    |                                                                                                                                                                                                     |
| 22                                       | but I was a little embarrassed by it.                                                                                                                                |                                          |    |                                                                                                                                                                                                     |
| 23                                       | <b>Q Please.</b>                                                                                                                                                     | 4:16:41PM                                | 24 | <b>Q And just to close off this issue. 4:17:32PM</b>                                                                                                                                                |
| 24                                       | A He was on back of one of the GEM cars. 4:16:42PM                                                                                                                   |                                          |    |                                                                                                                                                                                                     |
| 25                                       | I'm not really sure who was driving. They were                                                                                                                       |                                          |    |                                                                                                                                                                                                     |
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| Page 116                                 |                                                                                                                                                                      | Page 117                                 |    |                                                                                                                                                                                                     |
| <b>PAUL CAROLLO</b>                      |                                                                                                                                                                      | <b>PAUL CAROLLO</b>                      |    |                                                                                                                                                                                                     |
| 1                                        | <b>people, as you understood it, to find it funny that he was being fired?</b>                                                                                       | 4:17:53PM                                | 1  | just whatever reason, people find other people's                                                                                                                                                    |
| 2                                        | MR. NOVIKOFF: Objection.                                                                                                                                             | 4:17:54PM                                | 2  | misery funny. In a sense of when you're talking                                                                                                                                                     |
| 3                                        | A No, that's it.                                                                                                                                                     | 4:17:55PM                                | 3  | about that thing of finding that funny, I would                                                                                                                                                     |
| 4                                        | <b>Q That's it?</b>                                                                                                                                                  | 4:17:55PM                                | 4  | say that a lot of basis behind it is that                                                                                                                                                           |
| 5                                        | A Yeah.                                                                                                                                                              | 4:17:56PM                                | 5  | mentality.                                                                                                                                                                                          |
| 6                                        | <b>Q What about Ed Carter, what were the --</b>                                                                                                                      | 4:18:06PM                                | 6  | <b>Q Are you aware of any particular complaint or gripes that anyone else in the department had regarding Kevin Lamm?</b>                                                                           |
| 7                                        | <b>what are you aware of that could've supported the animosity or happiness that he had been fired?</b>                                                              | 4:18:07PM                                | 7  | 4:19:34PM                                                                                                                                                                                           |
| 8                                        | MR. NOVIKOFF: Note my objection.                                                                                                                                     | 4:18:19PM                                | 8  | MR. NOVIKOFF: Objection. 4:19:41PM                                                                                                                                                                  |
| 9                                        | A Nothing.                                                                                                                                                           | 4:18:23PM                                | 9  | A Their opinions? 4:19:49PM                                                                                                                                                                         |
| 10                                       | <b>Q What about Kevin Lamm?</b>                                                                                                                                      | 4:18:28PM                                | 10 | <b>Q To the extent that they communicated them to you, sure.</b>                                                                                                                                    |
| 11                                       | A Ask me a question in the sense of                                                                                                                                  | 4:18:38PM                                | 11 | A I think sometimes people were a little                                                                                                                                                            |
| 12                                       | that.                                                                                                                                                                |                                          | 12 | concerned about Kevin -- one of the things that                                                                                                                                                     |
| 13                                       | <b>Q Sure.</b>                                                                                                                                                       | 4:18:41PM                                | 13 | I remember about George and Kevin battling back                                                                                                                                                     |
| 14                                       | <b>Why did you understand that people thought it was funny to see Kevin Lamm leaving after being fired at that April 2006 meeting?</b>                               | 4:18:43PM                                | 14 | and forth about would be that Kevin would                                                                                                                                                           |
| 15                                       | MR. NOVIKOFF: Note my objection.                                                                                                                                     | 4:18:52PM                                | 15 | handcuff people for whatever and bring them back                                                                                                                                                    |
| 16                                       | A When you ask the question that way, no                                                                                                                             | 4:19:00PM                                | 16 | to the station. Whether -- not an arrest, a                                                                                                                                                         |
| 17                                       | matter where I worked in my life, people always                                                                                                                      |                                          | 17 | summons. Like, you know, caught you with an                                                                                                                                                         |
| 18                                       | find those things amusing, whether they have                                                                                                                         |                                          | 18 | open container or a urinating ticket, you know,                                                                                                                                                     |
| 19                                       | substance to them or not. That goes back to                                                                                                                          |                                          | 19 | he'd handcuff someone and bring them back to the                                                                                                                                                    |
| 20                                       |                                                                                                                                                                      |                                          | 20 | station. And they felt that was not appropriate                                                                                                                                                     |
| 21                                       |                                                                                                                                                                      |                                          | 21 | action, to walk through the streets handcuffed                                                                                                                                                      |
| 22                                       |                                                                                                                                                                      |                                          | 22 | for an open container or a urinating in public.                                                                                                                                                     |
| 23                                       |                                                                                                                                                                      |                                          | 23 |                                                                                                                                                                                                     |
| 24                                       |                                                                                                                                                                      |                                          | 24 |                                                                                                                                                                                                     |
| 25                                       |                                                                                                                                                                      |                                          | 25 |                                                                                                                                                                                                     |
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| <p style="text-align: center;">Page 118</p> <p>1 PAUL CAROLLO<br/>2 Q Do you remember any particular 4:20:57PM<br/>3 specific individuals who communicated that that<br/>4 was their belief about Kevin Lamm?<br/>5 MR. NOVIKOFF: Objection. I don't 4:21:05PM<br/>6 think that last answer suggested that other<br/>7 people communicated that to him. I think he<br/>8 said directly that it was George Hesse.<br/>9 BY MR. GRAFF: 4:21:15PM<br/>10 Q Was it George Hesse specifically? 4:21:16PM<br/>11 A Yeah. 4:21:20PM<br/>12 Q Other than George Hesse, did anyone 4:21:20PM<br/>13 else communicate that to you, that that was<br/>14 their belief about Kevin Lamm?<br/>15 MR. NOVIKOFF: Objection to the form. 4:21:27PM<br/>16 A Ask the question again. 4:21:38PM<br/>17 Q Other than George Hesse, did anyone 4:21:40PM<br/>18 else complain about Kevin Lamm bringing people<br/>19 to the station in handcuffs?<br/>20 A I don't know if anyone could complain 4:21:49PM<br/>21 about it. I think a lot of people would agree<br/>22 with it.<br/>23 Q Do you agree with that complaint about 4:21:56PM<br/>24 Kevin Lamm?<br/>25 A I agree with the -- I agree with the 4:22:02PM<br/><p>TSG Reporting - Worldwide (877) 702-9580</p></p>                                          | <p style="text-align: center;">Page 119</p> <p>1 PAUL CAROLLO<br/>2 theory. I don't know that I specifically have<br/>3 seen Kevin -- I've seen him bring them in, and I<br/>4 know it was a problem. I can't say that I saw<br/>5 Kevin find someone urinating or an open<br/>6 container, handcuffed them and walked them<br/>7 through the street. So if I agree that<br/>8 shouldn't be done, yes. Can I say I<br/>9 specifically saw Kevin do that, no.<br/>10 Q And do you recall any specific 4:22:30PM<br/>11 instances of Kevin Lamm bringing people to the<br/>12 station in handcuffs that were the basis for<br/>13 complaints to you?<br/>14 MR. NOVIKOFF: Objection. He just 4:22:41PM<br/>15 said he never saw.<br/>16 MR. GRAFF: He never saw. But did 4:22:44PM<br/>17 anyone ever complain about a specific<br/>18 instance.<br/>19 MR. NOVIKOFF: I thought he just said 4:22:48PM<br/>20 George Hesse.<br/>21 MR. GRAFF: I'm asking if he now 4:22:50PM<br/>22 recalls a specific incident that was<br/>23 complained about.<br/>24 A I can only imagine at the time he was 4:23:01PM<br/>25 complaining about it when Kevin was there, that<br/><p>TSG Reporting - Worldwide (877) 702-9580</p></p>                                            |
| <p style="text-align: center;">Page 120</p> <p>1 PAUL CAROLLO<br/>2 that was that, but I can't say specific.<br/>3 Q And do you recall if Tom Snyder was at 4:23:17PM<br/>4 the April meeting?<br/>5 A I believe he wasn't. 4:23:24PM<br/>6 Q Did you at some point learn that Tom 4:23:27PM<br/>7 Snyder was terminated or let go in April 2006?<br/>8 A Yes. It may have even been talked 4:23:37PM<br/>9 about that day.<br/>10 Q And who did you hear about that from? 4:23:40PM<br/>11 A That I can't say. 4:23:46PM<br/>12 Q Did you hear about it from George 4:23:48PM<br/>13 Hesse?<br/>14 A That day, I don't know. I mean it was 4:23:57PM<br/>15 30 people. You know, the conversation was going<br/>16 around. Was George saying it to someone else<br/>17 and I overheard it or was somebody else telling<br/>18 me, I can't specifically say.<br/>19 Q After the plaintiffs left that 4:24:12PM<br/>20 meeting, when they were let go, did you speak<br/>21 with George Hesse or hear George Hesse say any<br/>22 words about the plaintiffs on that day?<br/>23 A Obviously there was conversation about 4:24:36PM<br/>24 it. I can't say what specific conversation was<br/>25 about it. Obviously George and many others<br/><p>TSG Reporting - Worldwide (877) 702-9580</p></p> | <p style="text-align: center;">Page 121</p> <p>1 PAUL CAROLLO<br/>2 thought it was funny.<br/>3 Q At that meeting -- did any meeting 4:24:45PM<br/>4 take place after plaintiffs left?<br/>5 A Yes. 4:24:49PM<br/>6 Q Did George Hesse say anything at the 4:24:49PM<br/>7 meeting about the plaintiffs being let go?<br/>8 A Yeah. People were talking about it. 4:25:02PM<br/>9 I know you want specifics, and I don't really<br/>10 have specifics. It was a room, and I was not<br/>11 very happy about the whole situation myself, the<br/>12 way it went down.<br/>13 Q Why were you unhappy with the way -- 4:25:13PM<br/>14 A I don't think that's the right way to 4:25:16PM<br/>15 do something.<br/>16 Q What part of it do you think was -- 4:25:19PM<br/>17 A I don't feel that, you know, it was 4:25:22PM<br/>18 something that should've been made a mockery of.<br/>19 Q And do you believe that George Hesse 4:25:50PM<br/>20 was making a mockery of it after the plaintiffs<br/>21 were fired?<br/>22 MR. NOVIKOFF: Objection. 4:25:59PM<br/>23 MR. CONNOLLY: Objection. 4:25:59PM<br/>24 A I don't know about after. I just 4:26:03PM<br/>25 wasn't comfortable with the whole thing.<br/><p>TSG Reporting - Worldwide (877) 702-9580</p></p> |

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| <p style="text-align: center;">Page 122</p> <p>1 PAUL CAROLLO<br/>2 Q Okay. Do you recall George Hesse 4:26:07PM<br/>3 mocking the plaintiffs after they were let go at<br/>4 that meeting?<br/>5 MR. CONNOLLY: Objection. 4:26:15PM<br/>6 MR. NOVIKOFF: Objection. 4:26:16PM<br/>7 A I can't specifically say any 4:26:19PM<br/>8 individual. Obviously he's the one that ran the<br/>9 meeting and was the one that let them go. You<br/>10 know, so I can't -- but if you're asking me his<br/>11 specific statements, whatever, that I can't<br/>12 remember.<br/>13 Q Do you recall whether George Hesse in 4:26:33PM<br/>14 any way communicated that people should not be<br/>15 mocking the plaintiffs after they were let go?<br/>16 MR. NOVIKOFF: Objection. Foundation. 4:26:42PM<br/>17 Assumes facts not in evidence.<br/>18 A Ask the question again. 4:26:55PM<br/>19 Q Did George Hesse stop anyone or tell 4:26:56PM<br/>20 anyone to stop mocking the plaintiffs?<br/>21 A No. 4:27:02PM<br/>22 MR. NOVIKOFF: Objection. 4:27:02PM<br/>23 MR. CONNOLLY: Objection. 4:27:04PM<br/>24 BY MR. GRAFF: 4:27:04PM<br/>25 Q Do you recall whether anyone was 4:27:06PM<br/><br/>TSG Reporting - Worldwide (877) 702-9580</p> | <p style="text-align: center;">Page 123</p> <p>1 PAUL CAROLLO<br/>2 cheering as the plaintiffs walked away after<br/>3 they'd been let go?<br/>4 A No. I don't remember that. 4:27:13PM<br/>5 Q Do you recall whether anyone cheered 4:27:18PM<br/>6 at the meeting about the plaintiffs being let<br/>7 go?<br/>8 A As I said, people found it humorous, 4:27:27PM<br/>9 and they were talking about it and laughing<br/>10 about it. As far as cheering, whatever, that,<br/>11 you know, did anybody say anything to them when<br/>12 they left, I don't know. I didn't hear it.<br/>13 Were they saying things loudly and they heard<br/>14 it, you know, specifics like that I can't say.<br/>15 Q Was there any discussion or statements 4:27:47PM<br/>16 by anyone at the meeting about the reason why<br/>17 the plaintiffs were let go?<br/>18 A At the meeting, no. I don't recall 4:28:05PM<br/>19 that. I don't remember.<br/>20 Q Do you recall whether anyone asked 4:28:12PM<br/>21 George at the meeting why the plaintiffs had<br/>22 been let go?<br/>23 A It would have had to have been in a 4:28:24PM<br/>24 large area. So, no. I don't recall anyone<br/>25 standing up and asking him that.<br/><br/>TSG Reporting - Worldwide (877) 702-9580</p>                   |
| <p style="text-align: center;">Page 124</p> <p>1 PAUL CAROLLO<br/>2 Q Did you at any point ask George Hesse 4:28:35PM<br/>3 why the plaintiffs were let go?<br/>4 A No. 4:28:43PM<br/>5 Q Did George Hesse ever indicate to you 4:28:43PM<br/>6 why the plaintiffs were let go?<br/>7 MR. NOVIKOFF: Objection to the form. 4:28:48PM<br/>8 A I think everybody kind of knew his 4:28:50PM<br/>9 feelings about each and every one of them. So I<br/>10 don't think that it was necessary to ask.<br/>11 Q Did you ever hear anyone say that the 4:29:15PM<br/>12 plaintiffs, any of the plaintiffs had been let<br/>13 go because of something to do with wearing a<br/>14 wire?<br/>15 MR. NOVIKOFF: Could you just read 4:29:30PM<br/>16 that question back before I know if I have<br/>17 to make an objection or not.<br/>18 (Whereupon, the requested portion was 4:29:35PM<br/>19 read back by the court reporter: Did you<br/>20 ever hear anyone say that the plaintiffs,<br/>21 any of the plaintiffs had been let go<br/>22 because of something to do with wearing a<br/>23 wire?)<br/>24 MR. NOVIKOFF: Yeah, I'm going to 4:29:49PM<br/>25 object to the form.<br/><br/>TSG Reporting - Worldwide (877) 702-9580</p>        | <p style="text-align: center;">Page 125</p> <p>1 PAUL CAROLLO<br/>2 A I've heard something to that effect. 4:29:54PM<br/>3 I've also heard it about myself. So I don't<br/>4 really -- I don't know that I heard it -- if<br/>5 you're asking if I heard it that day or not or<br/>6 something else later on.<br/>7 Q And in substance, what did you hear 4:30:10PM<br/>8 about plaintiffs --<br/>9 A A lot of people have been accused -- 4:30:14PM<br/>10 MR. NOVIKOFF: Whoa. Are you done 4:30:16PM<br/>11 with your question?<br/>12 MR. GRAFF: Yes. 4:30:23PM<br/>13 A What's your question again? 4:30:25PM<br/>14 Q A lot of people had been accused. 4:30:26PM<br/>15 Were you going somewhere with that?<br/>16 A Not accused. There was, as you know, 4:30:30PM<br/>17 you just said it, a District Attorney's<br/>18 investigation going on, so nobody trusts<br/>19 anybody. So somebody's always looking at<br/>20 somebody thinking that they have a wire on.<br/>21 Q Did anyone ever tell you that they 4:30:45PM<br/>22 believed that any of the individual plaintiffs<br/>23 had been wearing a wire at any point during<br/>24 their employment at Ocean Beach?<br/>25 A I've heard that phrase used. I can't 4:30:56PM<br/>TSG Reporting - Worldwide (877) 702-9580</p> |

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| 1 PAUL CAROLLO<br>2 say specifically if it was general conversation<br>3 or -- yes, I've heard that said.<br><br>4 Q Did you ever hear George say words to 4:31:06PM<br>5 that effect?<br><br>6 MR. NOVIKOFF: Objection. 4:31:11PM<br>7 A I can't say specifically I heard it 4:31:12PM<br>8 out of George's mouth.<br><br>9 Q Did you ever hear George say words to 4:31:16PM<br>10 the effect that he believed that any specific<br>11 individual had been wearing a wire?<br><br>12 MR. NOVIKOFF: Objection. 4:31:27PM<br>13 MR. CONNOLLY: Objection. 4:31:28PM<br>14 A I think that maybe I've heard Carter's 4:31:32PM<br>15 name mentioned.<br><br>16 Q Mentioned by George Hesse? 4:31:35PM<br>17 A About a wire. No, not that I can say 4:31:37PM<br>18 about George Hesse. If you're trying to get me<br>19 to put a name and a wire together, that rings a<br>20 bell to me. But specifically where it came<br>21 from, I can't say.<br><br>22 Q Other than yourself and Ed Carter, can 4:31:51PM<br>23 you recall anybody else who you heard accused of<br>24 wearing a wire by anyone?<br><br>25 A Dave Gurden. I'm not too sure about 4:32:04PM<br><br>TSG Reporting - Worldwide (877) 702-9580 | Page 126<br><br>1 PAUL CAROLLO<br>2 someone else. I can't say.<br>3 Q Did any one ever say to you that one 4:32:33PM<br>4 of the reasons that Ed Carter was let go was<br>5 that he was suspected of wearing a wire?<br>6 MR. NOVIKOFF: Objection. 4:32:43PM<br>7 MR. CONNOLLY: Objection. 4:32:44PM<br>8 A Did anyone specifically say to me 4:32:48PM<br>9 why --<br>10 Q That something to do with Ed Carter 4:32:51PM<br>11 and a wire was one of the reasons that he was<br>12 let go?<br>13 MR. NOVIKOFF: Same objection. 4:32:57PM<br>14 MR. CONNOLLY: Objection. 4:32:59PM<br>15 A I can't say that specifically. 4:33:00PM<br>16 Q Do you recall whether the reference 4:33:08PM<br>17 you heard to Ed Carter wearing a wire, whether<br>18 you ever heard that reference before he was<br>19 fired?<br>20 A I think it was after. 4:33:25PM<br>21 Q As far as you know, did any Ocean 4:33:31PM<br>22 Beach police officer wear a wire during your<br>23 employment at Ocean Beach?<br>24 A As far as I know? 4:33:39PM<br>25 Q Yes. 4:33:40PM<br><br>TSG Reporting - Worldwide (877) 702-9580                        |
| 1 PAUL CAROLLO<br>2 A No. 4:33:41PM<br>3 Q Do you have any reason -- do you 4:33:45PM<br>4 believe that any officer at Ocean Beach was<br>5 wearing a wire at any point from 2006 to the<br>6 present?<br>7 MR. NOVIKOFF: Objection. 4:33:54PM<br>8 MR. CONNOLLY: Objection. 4:33:54PM<br>9 A Do I believe? There was a tape given 4:34:19PM<br>10 to my criminal attorney that had -- I don't<br>11 think anybody ever knew what was on it. I think<br>12 a lot of it was inaudible or it never got to<br>13 anything.<br><br>14 Q Before I go on to the next questions, 4:34:42PM<br>15 I just want to be clear. I don't mean to<br>16 elicit -- none of my questions are aimed at<br>17 anything that you said to an attorney or that an<br>18 attorney said to you. I don't want to know<br>19 about communications between you and an<br>20 attorney. Aside from anything that --<br>21 A It was difficult to answer that 4:35:02PM<br>22 question.<br>23 Q I understand. 4:35:04PM<br>24 A I would've had to answer the question 4:35:05PM<br>25 no. And you know, that's why sometimes --<br><br>TSG Reporting - Worldwide (877) 702-9580                                                             | Page 128<br><br>1 PAUL CAROLLO<br>2 answering questions is not easy because you --<br>3 that's a specific question. I had that thing<br>4 all of a sudden popped in my head about the<br>5 tape. So my first answer is no, I don't think<br>6 anybody had. Then wait a minute, I heard a tape<br>7 somewhere.<br>8 Q Without getting into any discussion 4:35:28PM<br>9 you had with your attorney, do you remember what<br>10 you heard on the tape that you're referring to?<br>11 A I never heard the tape. 4:35:34PM<br>12 Q Did you ever learn from anyone what 4:35:38PM<br>13 any of the things said on the tape included?<br>14 MR. NOVIKOFF: Other than from his 4:35:44PM<br>15 attorney.<br>16 A No. Nothing came out of it. 4:35:45PM<br>17 Q When did you first meet Frank 4:35:54PM<br>18 Fiorillo?<br>19 A My first year. 4:35:58PM<br>20 Q And do you believe that Frank was a 4:36:04PM<br>21 good police officer at Ocean Beach?<br>22 MR. NOVIKOFF: Objection to 4:36:07PM<br>23 foundation.<br>24 MR. CONNOLLY: Objection. 4:36:11PM<br>25 A Yes. 4:36:11PM<br><br>TSG Reporting - Worldwide (877) 702-9580 |

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| <p style="text-align: center;">Page 130</p> <p>1 PAUL CAROLLO</p> <p>2 Q When did you first meet Kevin Lamm? 4:36:19PM</p> <p>3 A Same year. 4:36:22PM</p> <p>4 Q Did you work on shifts with Kevin 4:36:23PM</p> <p>5 Lamm?</p> <p>6 A Yes. 4:36:26PM</p> <p>7 Q Did you believe that Kevin Lamm was a 4:36:26PM</p> <p>8 good police officer at Ocean Beach?</p> <p>9 MR. NOVIKOFF: Objection. Foundation. 4:36:29PM</p> <p>10 A Yeah. 4:36:31PM</p> <p>11 Q When did you first meet Tom Snyder? 4:36:32PM</p> <p>12 A I don't recall. 4:36:37PM</p> <p>13 Q Did you work on shifts with Tom 4:36:40PM</p> <p>14 Snyder?</p> <p>15 A Yes. 4:36:42PM</p> <p>16 Q Did you believe Tom Snyder was a good 4:36:43PM</p> <p>17 police officer?</p> <p>18 MR. NOVIKOFF: Objection. 4:36:46PM</p> <p>19 A Well, one problem, one incident I had 4:36:50PM</p> <p>20 with him I wasn't happy with him because he</p> <p>21 wouldn't help me out with something.</p> <p>22 Q What was that incident? 4:36:57PM</p> <p>23 A I had an arrest on a domestic violence 4:36:58PM</p> <p>24 and I believe it was just he and I on the shift,</p> <p>25 and he was definitely not interested in helping</p> <p style="text-align: center;">TSG Reporting - Worldwide (877) 702-9580</p>                                                                                                                                                    | <p style="text-align: center;">Page 131</p> <p>1 PAUL CAROLLO</p> <p>2 me out.</p> <p>3 Q When did that incident take place? 4:37:12PM</p> <p>4 A I can't remember. 4:37:23PM</p> <p>5 MR. GRAFF: And if we could note for 4:37:26PM</p> <p>6 the record, I'd like to designate, beginning</p> <p>7 at this point, the testimony as confidential</p> <p>8 under the confidentiality order.</p> <p>9 BY MR. GRAFF: 4:37:36PM</p> <p>10 Q Who was involved in that domestic 4:37:39PM</p> <p>11 violence incident?</p> <p>12 A The people? 4:37:43PM</p> <p>13 Q Yes. 4:37:44PM</p> <p>14 A I don't know. Not that I don't know, 4:37:45PM</p> <p>15 I don't remember. It was a male and female.</p> <p>16 Their names, I have absolutely no idea.</p> <p>17 Q How many -- what was the help that you 4:37:52PM</p> <p>18 wanted from Tom Snyder?</p> <p>19 A Paperwork. 4:37:57PM</p> <p>20 Q Paperwork? 4:37:57PM</p> <p>21 A Paperwork. 4:37:58PM</p> <p>22 Q Do you recall whether he gave any 4:38:00PM</p> <p>23 reason for why he wasn't going to help you with</p> <p>24 that paperwork?</p> <p>25 A Just in a bad mood. 4:38:06PM</p> <p style="text-align: center;">TSG Reporting - Worldwide (877) 702-9580</p>                 |
| <p style="text-align: center;">Page 132</p> <p>1 PAUL CAROLLO - CONFIDENTIAL</p> <p>2 Q If I said the name Lisa Campbell, 4:38:07PM</p> <p>3 would it refresh your recollection as to who one</p> <p>4 of the individuals in that incident was?</p> <p>5 A Lisa Campbell? I think I know that 4:38:15PM</p> <p>6 name. But that's the one that lives there, no?</p> <p>7 The name's familiar to me, but I think Lisa</p> <p>8 Campbell is someone who lives there. So I don't</p> <p>9 believe it's the same incident.</p> <p>10 Q If at any point over the course of the 4:38:31PM</p> <p>11 day you do remember the names of those</p> <p>12 individuals, please just let me know.</p> <p>13 MR. GRAFF: And the confidentiality 4:38:39PM</p> <p>14 can end there.</p> <p>15 BY MR. GRAFF: 4:38:42PM</p> <p>16 Q Do you recall whether you ever 4:38:43PM</p> <p>17 responded to a domestic violence incident</p> <p>18 involving Lisa Campbell?</p> <p>19 A Myself, no, I don't remember. 4:38:52PM</p> <p>20 Q Other than that one incident when Tom 4:38:59PM</p> <p>21 Snyder didn't help you with the paperwork --</p> <p>22 A Not that he didn't. He was -- you 4:39:06PM</p> <p>23 know, he had no choice, really, when it came</p> <p>24 down to it. It wasn't a good scene.</p> <p>25 Q I'm not sure I'm understanding. 4:39:18PM</p> <p style="text-align: center;">TSG Reporting - Worldwide (877) 702-9580</p> | <p style="text-align: center;">Page 133</p> <p>1 PAUL CAROLLO</p> <p>2 A He was just in a bad mood about the 4:39:20PM</p> <p>3 night. He didn't want to get involved in</p> <p>4 helping out. Obviously he had to do his job or</p> <p>5 whatever. He just made it difficult.</p> <p>6 Q And were you able to processes 4:39:28PM</p> <p>7 whatever paperwork had to be processed yourself?</p> <p>8 A I think they got finished on the next 4:39:33PM</p> <p>9 shift the next day.</p> <p>10 Q Other than that incident, did you have 4:39:37PM</p> <p>11 any other issues with Tom Snyder as a police</p> <p>12 officer?</p> <p>13 A I really didn't have much contact with 4:39:44PM</p> <p>14 him.</p> <p>15 Q What about Joe Nofi, when did you 4:39:50PM</p> <p>16 first meet him?</p> <p>17 A I can't say. 4:39:55PM</p> <p>18 Q Did you work shifts with him at Ocean 4:39:56PM</p> <p>19 Beach?</p> <p>20 A Yes. 4:40:00PM</p> <p>21 Q Did you believe he was a good police 4:40:02PM</p> <p>22 officer?</p> <p>23 A I had no reason to think that he 4:40:09PM</p> <p>24 wasn't.</p> <p>25 Q And Ed Carter, when did you first meet 4:40:24PM</p> <p style="text-align: center;">TSG Reporting - Worldwide (877) 702-9580</p> |

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| 1 <b>PAUL CAROLLO</b><br>2 him?<br>3       A I'm sure -- I shouldn't say I'm sure. 4:40:34PM<br>4 I guess I met everyone there my first year.<br>5 <b>Q Did you work shifts with Ed Carter? 4:40:40PM</b><br>6       A I don't really ever remember -- I 4:40:45PM<br>7 don't really remember ever working with Ed side<br>8 by side, so to speak. I don't think he worked a<br>9 to 5. He worked midnights, I think.<br>10 <b>Q Based on the contact that you had with 4:40:59PM</b><br>11 <b>Ed Carter, did you have any reason to think he</b><br>12 <b>was not a good police officer?</b><br>13      MR. NOVIKOFF: Well, he said he 4:41:05PM<br>14 probably didn't have any contact with Ed.<br>15 But objection to form.<br>16      MR. CONNOLLY: Objection. 4:41:11PM<br>17      A Yeah, I mean, you know, I liked him. 4:41:13PM<br>18 He was a nice guy. Like I said, I don't think I<br>19 ever really worked with him.<br>20 <b>Q Did you ever observe Ed Carter 4:41:19PM</b><br>21 <b>sleeping on the job?</b><br>22      A Did I ever observe him sleeping, no. 4:41:24PM<br>23 <b>Q Did anyone ever tell you that they had 4:41:26PM</b><br>24 <b>observed Ed Carter sleeping on the job?</b><br>25      A I don't know about Ed specifically. 4:41:38PM<br><br>TSG Reporting - Worldwide (877) 702-9580 | Page 134<br><br>1 <b>PAUL CAROLLO</b><br>2 Some people would take naps or whatever.<br>3 <b>Q Can you recall any specific person who 4:41:42PM</b><br>4 <b>you heard or observed taking a nap on the job?</b><br>5       A No. I try to stay out of the 4:41:53PM<br>6 barracks.<br>7 <b>Q And Gary Bosetti, was he already 4:42:01PM</b><br>8 <b>working at Ocean Beach when you first started?</b><br>9       A Yeah. 4:42:08PM<br>10 <b>Q Did you ever have any problems with 4:42:18PM</b><br>11 <b>Gary Bosetti as far as the performance of his</b><br>12 <b>work at Ocean Beach?</b><br>13      A No. 4:42:24PM<br>14      MR. NOVIKOFF: Objection. 4:42:24PM<br>15 BY MR. GRAFF: 4:42:25PM<br>16 <b>Q And the same question with respect to 4:42:27PM</b><br>17 <b>Richard Bosetti.</b><br>18      MR. NOVIKOFF: Objection. 4:42:31PM<br>19      A No. 4:42:32PM<br>20      MR. GRAFF: I'd ask the court reporter 4:43:14PM<br>21 to please mark as Exhibit 8 a copy of a<br>22 document entitled Incorporated Village of<br>23 Ocean Beach Handbook bearing Bates Numbers<br>24 0001 through 25.<br>25      (Whereupon, a document entitled 4:43:30PM<br>TSG Reporting - Worldwide (877) 702-9580                                         |
| 1 <b>PAUL CAROLLO</b><br>2 Incorporated Village of Ocean Beach handbook<br>3 bearing Bates numbers 0001 through 25 was<br>4 marked as Plaintiff's Exhibit 8 for<br>5 identification, as of this date.)<br>6      (Whereupon, a discussion was held off 4:49:24PM<br>7 the record.)<br>8 BY MR. GRAFF: 4:49:24PM<br>9 <b>Q Mr. Carollo, if you could take a 4:50:08PM</b><br>10 <b>second to look at what's been marked ads</b><br>11 <b>Exhibit 8. My first question is whether this is</b><br>12 <b>a document that you've seen before. (Handing.)</b><br>13      A I don't think I've ever seen this. 4:50:28PM<br>14 <b>Q Have you ever heard of an Ocean Beach 4:50:30PM</b><br>15 <b>employee handbook?</b><br>16      A Prior to 2006? 4:50:42PM<br>17 <b>Q Did you at some point hear about it? 4:50:53PM</b><br>18      MR. NOVIKOFF: Did he hear about the 4:50:57PM<br>19 existence of an employee handbook?<br>20      MR. GRAFF: Yes. 4:51:02PM<br>21      A No. 4:51:06PM<br>22 <b>Q After 2006, did you hear about the 4:51:07PM</b><br>23 <b>existence of an employee handbook?</b><br>24      A I believe in 2007 -- no. They made a 4:51:16PM<br>25 huge regulations book.<br><br>TSG Reporting - Worldwide (877) 702-9580                                                                             | Page 136<br><br>1 <b>PAUL CAROLLO</b><br>2 <b>Q Was that a regulations book for the 4:51:27PM</b><br>3 <b>Ocean Beach Police Department?</b><br>4       A Yes. 4:51:30PM<br>5 <b>Q Do you know who was responsible for 4:51:31PM</b><br>6 <b>making that?</b><br>7       A Obviously George was involved in it. 4:51:42PM<br>8 As a general question, I believe it was possibly<br>9 when Paul Troesco was there. I could be wrong, I<br>10 don't think so.<br>11 <b>Q Was that a book that was issued while 4:51:57PM</b><br>12 <b>you were still working as a police officer?</b><br>13      A I went to a -- I'm going to say 2007, 4:52:21PM<br>14 I could be wrong. I did go to one of our April<br>15 meetings that they issued a new regulations<br>16 book.<br>17 <b>Q And I think I missed a word. Some 4:52:43PM</b><br>18 <b>kind of meeting?</b><br>19      A One of these April meetings. 4:52:47PM<br>20 <b>Q The PBA? 4:52:49PM</b><br>21      A No, I don't know anything about the 4:52:51PM<br>22 PBA really. April, you know, the annual<br>23 meeting.<br>24 <b>Q Annual meetings, okay. If it's not a 4:52:59PM</b><br>25 <b>document you recognize, I'm not going to ask you</b><br>TSG Reporting - Worldwide (877) 702-9580 |

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| 1 <b>PAUL CAROLLO</b><br>2       questions about the handbook.<br>3        MR. GRAFF: If I could ask the court 4:53:12PM<br>4           reporter to mark as Exhibit 9 a document<br>5           produced by Ocean Beach without Bates<br>6           numbers.<br>7           (Whereupon, a letter dated April 18, 4:53:19PM<br>8           2006 was marked as Plaintiff's Exhibit 9 for<br>9           identification, as of this date.)<br>10      BY MR. GRAFF: 4:53:19PM<br>11      Q   Have you had a chance to look at this? 4:54:01PM<br>12      Handing.<br>13      A   Yes. 4:54:04PM<br>14      Q   Is what's marked as Exhibit 9 4:54:04PM<br>15      something you've seen before?<br>16      A   No, I don't remember seeing this. 4:54:13PM<br>17      Q   The very first -- I'm sorry, were you 4:54:15PM<br>18      done with your answer?<br>19      A   I'm looking at the date on it, which, 4:54:20PM<br>20     you know, it's a date prior -- I would think it<br>21     was after I hadn't worked for a while. So<br>22     April 18th, 2006. Yeah, I would've been<br>23     there. I don't recall the letter.<br>24      Q   And why would you say that you 4:54:36PM<br>25      would've thought that it was after you left --<br><br>TSG Reporting - Worldwide (877) 702-9580                | 1 <b>PAUL CAROLLO</b><br>2       A   Because I don't remember it. 4:54:43PM<br>3       Q   The document, the first line says 4:54:44PM<br>4           Ocean Beach Police. The second line says<br>5           "internal correspondence" up at the top as a<br>6           header. Have you seen documents with those two<br>7           lines as a header before?<br>8       A   I can't say. 4:55:07PM<br>9       Q   Underneath that header, there's the 4:55:13PM<br>10      date April 18th, 2006. And it says to all<br>11      officers from Deputy Chief Hesse. REF, LI<br>12      Politics blog.<br>13      Mr. Carollo, as far as you know, what 4:55:33PM<br>14      was George Hesse's title in April 2006?<br>15      MR. NOVIKOFF: Objection to the form. 4:55:51PM<br>16      A   Ask the question again. 4:55:59PM<br>17      Q   As far as you know, what was George 4:56:00PM<br>18      Hesse's title at the police department in 2006?<br>19      A   His exact title? It seems as though 4:56:15PM<br>20     I've seen a lot of different titles. That's why<br>21     I don't know exactly how to answer the question.<br>22      Q   The reference line, LI Politics blog, 4:56:23PM<br>23      do you know what that's referring to?<br>24      MR. NOVIKOFF: Objection. 4:56:28PM<br>25      MR. CONNOLLY: Objection. 4:56:31PM<br><br>TSG Reporting - Worldwide (877) 702-9580 |
| 1 <b>PAUL CAROLLO</b><br>2      A   It's referring to some blog. 4:56:32PM<br>3      Q   Are you aware of any LI Politics blog? 4:56:38PM<br>4      MR. NOVIKOFF: Objection. To the 4:56:42PM<br>5      extent he knows what LI Politics means.<br>6      A   I've heard them talk about this, yeah. 4:56:53PM<br>7      Q   Who have you heard talk about this 4:56:55PM<br>8      blog?<br>9      A   Everybody. 4:56:58PM<br>10     Q   What was the nature -- 4:57:01PM<br>11     A   The blog. I don't really understand 4:57:02PM<br>12     how to use them or what it's about -- not what<br>13     it's about. I see everyone puts in their own<br>14     thoughts or statements or whatever.<br>15     Q   Did you hear -- maybe I misunderstood. 4:57:15PM<br>16     When you say you've heard everyone talk about<br>17     it, do you mean blogs in general or LI Politics<br>18     specifically?<br>19     A   I don't know the name. If you said 4:57:26PM<br>20     what's the name, do I know the name, no. I just<br>21     know the word "blog."<br>22     Q   And when did you -- if you can 4:57:36PM<br>23     remember, when did you first hear people talking<br>24     about the blog at issue?<br>25     MR. NOVIKOFF: Objection. 4:57:43PM<br><br>TSG Reporting - Worldwide (877) 702-9580 | 1 <b>PAUL CAROLLO</b><br>2      MR. CONNOLLY: Objection. 4:57:45PM<br>3      MR. NOVIKOFF: I don't think he's 4:57:46PM<br>4      testified as to what the blog in issue is.<br>5      He's just testified to talking about blogs.<br>6      Q   Did you understand that people at the 4:57:54PM<br>7      department were talking about blogs in general<br>8      or a specific --<br>9      A   No, a specific blog. What was going 4:57:59PM<br>10     on or whatever they were all doing.<br>11     Q   So a blog that included discussion of 4:58:05PM<br>12     anything to do with the Ocean Beach Police<br>13     Department; was that your understanding?<br>14     A   Yes. 4:58:16PM<br>15     Q   At what point in time did you first 4:58:16PM<br>16     hear people start talking about a blog of that<br>17     nature?<br>18     A   That, I don't remember. 4:58:23PM<br>19     Q   Is that something that was a topic of 4:58:24PM<br>20     discussion that you can remember in the first<br>21     year that you worked?<br>22     MR. NOVIKOFF: Objection. 4:58:30PM<br>23     A   The first year? 4:58:30PM<br>24     Q   Yes. 4:58:32PM<br>25     A   No. 4:58:32PM<br><br>TSG Reporting - Worldwide (877) 702-9580                                                                                                                                                            |

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1 PAUL CAROLLO

2 Q And by first year, I mean the first 4:58:33PM  
3 summer season that you worked at Ocean Beach?

4 A Yeah. No. 4:58:40PM

5 Q Do you recall anything that people 4:58:44PM  
6 were saying about things that were discussed on  
7 the blog?

8 MR. NOVIKOFF: Objection. 4:58:49PM

9 A I don't remember specific things. 4:58:53PM

10 Q Do you recall George Hesse ever 4:58:57PM  
11 telling people to stay off the blog or not post  
12 on the blog?

13 A I think they went through all -- I 4:59:18PM  
14 think there was probably both sides of it. I  
15 guess when it first came out, maybe they were  
16 all doing it, and then realized maybe they  
17 shouldn't do it. I don't know.

18 Q Do you know if there was a point in 4:59:33PM  
19 time?

20 A Not to sound vague. I'm not computer 4:59:35PM  
21 savvy. I have no interest in doing this stuff.  
22 I never went on. They went on, whatever. I  
23 think George even brought it up on the computer  
24 once when I was in the station. So the  
25 specifics, truthfully, I would've thought it was

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2 after our whole case. I'm thinking that it did  
3 start back further, before our case.

4 Q Do you recall any of the people you 5:00:08PM  
5 understood to have been posting on the blog?  
6 That is, were there any people in the police  
7 department that you understood had been posting  
8 on a blog about the police department?

9 MR. NOVIKOFF: Objection. 5:00:21PM

10 A Like writing on it? 5:00:25PM

11 Q Yes. 5:00:27PM

12 A I can't say that I actually 5:00:29PM  
13 specifically saw somebody write something on it.

14 Q Did you ever hear people talking about 5:00:34PM  
15 specific things that were written on the blog?

16 A I can't remember specifics. I 5:00:41PM  
17 certainly remember them all talking about it all  
18 the time.

19 Q The test of this document underneath 5:00:48PM  
20 the reference line says, "All officers are to  
21 refrain from writing into the blog. No one is  
22 to encourage the lies of the disgruntled  
23 employees. Pass on this message to all current  
24 officers. Anyone caught writing in will be  
25 terminated. The blog will be removed."

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2 Did you ever hear from George Hesse or 5:01:13PM  
3 anyone else anything to the effect that police  
4 officers writing on the blog would be  
5 terminated?

6 A No. 5:01:26PM

7 Q Do you have an understanding of what 5:01:27PM  
8 it means here, "No one is to encourage the lies  
9 of the disgruntled employees"?

10 MR. NOVIKOFF: Objection. 5:01:34PM

11 MR. CONNOLLY: Objection. 5:01:35PM

12 A Ask the question again. 5:01:39PM

13 Q Do you have an understanding of what 5:01:40PM  
14 that means?

15 MR. NOVIKOFF: Objection. 5:01:42PM

16 MR. CONNOLLY: Objection. 5:01:43PM

17 A At this point, I think I'm remembering 5:01:48PM  
18 back that it was -- if you asked me without  
19 being here for this specific thing, I wouldn't  
20 remember anything about what it was about.  
21 You're refreshing my memory back that I guess it  
22 was about the five of them and the bickering  
23 back and forth.

24 Q And do you remember anything that 5:02:09PM  
25 might have -- strike that.

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2 Do you remember hearing anything that 5:02:15PM  
3 had been written with reference to any of the  
4 five plaintiffs on the blog?

5 A Specifics? 5:02:22PM

6 Q Specifics or in general, anything that 5:02:24PM  
7 you do recall.

8 MR. CONNOLLY: Objection. 5:02:28PM

9 MR. NOVIKOFF: Objection. 5:02:29PM

10 A You're bringing my memory back on 5:02:31PM  
11 certain things, that it was about them and back  
12 and forth. Specifics about what anybody wrote  
13 or said, I don't remember.

14 Q At this point, do you remember in 5:02:39PM  
15 particular hearing that anyone in particular had  
16 been writing about them on the blog?

17 MR. NOVIKOFF: Objection. 5:02:46PM

18 A Do I remember anyone saying 5:02:53PM  
19 specifically. I think that they all kind of  
20 were pointing their finger at one another.

21 Q When you refer to "they all," who are 5:03:00PM  
22 those individuals?

23 A I'm trying to think of the whole 5:03:10PM  
24 situation now. I don't think anybody would say  
25 that they were on it, and everybody else was

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2 assuming maybe it was this one or that one. So  
3 it's hearsay, you know. I don't know if anybody  
4 really was actually going on or people were  
5 assuming that maybe they were going on. You  
6 know what I mean? I know it's a little vague.

7 MR. NOVIKOFF: Ari, perhaps you want 5:03:36PM  
8 to ask the witness did anyone in his  
9 presence admit to writing on the blog.

10 MR. GRAFF: That's a good question, 5:03:44PM  
11 Ken.

12 MR. NOVIKOFF: Thank you. 5:03:46PM

13 A No. 5:03:46PM

14 Q If you recall, who was working at the 5:03:57PM  
15 police station at the time you heard this  
16 general discussion?

17 A Everybody. I can tell you that I 5:04:03PM  
18 remember George popping it up on the computer  
19 and showing something or, you know, reading,  
20 looking at something. Exactly what it said, if  
21 it wasn't that we were sitting here, I probably  
22 wouldn't remember whether it was about them not.  
23 And I couldn't tell you what it said. I'm  
24 uncomfortable with things like that, and I try  
25 to avoid them.

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2 Q Things like that, do you mean 5:04:28PM  
3 technology things?

4 A The reasons I'm vague on things is I 5:04:31PM  
5 don't like to be around trash -- those things  
6 make me uncomfortable. So I'm not saying it's  
7 never anywhere, it's not anything. I don't look  
8 into it. I don't have an interest in going on a  
9 blog. I could see right away there was nothing  
10 good coming out of it, so I stay away. So I  
11 don't put my full thought process into that  
12 stuff. That's why maybe sometimes I seem vague  
13 on things, because that's exactly it. He  
14 probably popped it up on the computer. I  
15 couldn't tell you whether they wrote anything or  
16 didn't write anything. All I know is I'm not  
17 comfortable with this and I don't want to be  
18 around it.

19 Q Do you recall whether George popped up 5:05:08PM  
20 something about the plaintiffs on the blog, and  
21 he thought it was humorous?

22 MR. CONNOLLY: Objection. 5:05:14PM

23 MR. NOVIKOFF: Objection. 5:05:15PM

24 A Ask the question again. 5:05:32PM

25 Q At the time that you recall seeing 5:05:34PM

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2 George pop something up on the blog about the  
3 plaintiffs, did he give any indication that he  
4 thought that was humorous?

5 MR. NOVIKOFF: Objection. 5:05:44PM

6 MR. CONNOLLY: Objection. 5:05:46PM

7 A I think -- I don't -- they probably 5:05:51PM  
8 had mixed emotions. They probably found it  
9 humorous and pissed off about it. I don't know  
10 if that makes any sense. I don't think they  
11 were sitting there like, you know -- obviously  
12 it's one of those things that both sides think  
13 the other is lying. Let's cut to the chase, you  
14 know. It's what it's like.

15 Q I don't want to keep pressing with the 5:06:13PM  
16 questions on this. But if you recall anything  
17 more in particular about what you observed  
18 people discussing the blog at some point as we  
19 go on, just please let me know.

20 A Okay. 5:06:27PM

21 MR. NOVIKOFF: You mean during this 5:06:29PM  
22 deposition?

23 MR. GRAFF: Yes. 5:06:30PM

24 MR. NOVIKOFF: Or during the week? 5:06:31PM

25 MR. GRAFF: No, during this 5:06:33PM

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2 deposition. Although if you recall later in  
3 the week, I'd be happy to hear it.

4 I'm going to ask the reporter to mark 5:06:42PM  
5 as Carollo Exhibit 10 what I'll represent to  
6 be posts numbered 550, 553 and 556 on the  
7 Schwartz report blog thread Ocean Beach  
8 police corruption.

9 (Whereupon, posts numbered 550, 553 5:07:03PM  
10 and 556 on the Schwartz report blog thread  
11 Ocean Beach police corruption was marked as  
12 Plaintiff's Exhibit 10 for identification,  
13 as of this date.)

14 BY MR. GRAFF: 5:07:03PM

15 Q Mr. Carollo, if I could ask you to 5:07:43PM  
16 just read through all three pages. These are  
17 separate writings that were put up on the blog  
18 that I've assembled into one exhibit.

19 A (Witness complies.) 5:07:56PM

20 MR. NOVIKOFF: What was the question? 5:08:19PM

21 MR. GRAFF: Just if he could take a 5:08:21PM  
22 moment to read them.

23 BY MR. GRAFF: 5:08:23PM

24 Q Mr. Carollo, did you write any of 5:09:23PM  
25 these three postings on the blog?

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| <p style="text-align: right;">Page 150</p> <p>1           <b>PAUL CAROLLO</b></p> <p>2     A   No.                       5:09:26PM</p> <p>3     Q   On the first page, Tom the pedophile, 5:09:30PM<br/>have you ever heard prior to reading this<br/>someone refer to Tom Snyder as a pedophile?</p> <p>4     A   No.                       5:09:39PM</p> <p>5     Q   Do you recall whether --    <b>5:09:40PM</b></p> <p>6            MR. NOVIKOFF: You're not going to ask 5:09:42PM<br/>him about the rest of the E-mail?</p> <p>7     BY MR. GRAFF:                5:09:45PM</p> <p>8     Q   Do you recall whether Ty Bacon ever   <b>5:09:47PM</b><br/>said anything to you about writing on the blog?</p> <p>9            MR. NOVIKOFF: Objection. Asked and 5:09:55PM<br/>answered.</p> <p>10     A   No.                      5:09:58PM</p> <p>11     Q   As a court officer, is there a   <b>5:10:03PM</b><br/>computer at the courthouse that you're able to<br/>use that is -- through which it's possible to<br/>access the Internet?</p> <p>12           MR. NOVIKOFF: Objection. You mean 5:10:15PM<br/>available -- I don't understand the<br/>question. Is there a computer in general<br/>that if someone used --</p> <p>13     BY MR. GRAFF:               5:10:22PM</p> <p>14     Q   Is there a computer that you are   <b>5:10:23PM</b></p> <p>TSG Reporting - Worldwide (877) 702-9580</p> | <p style="text-align: right;">Page 151</p> <p>1           <b>PAUL CAROLLO</b></p> <p>2     <b>authorized to use to access the Internet at the</b><br/><b>courthouse?</b></p> <p>3            MR. CONNOLLY: "You" being him    5:10:30PM<br/>specifically or "you" being a court officer?</p> <p>4            MR. GRAFF: Specifically him.       5:10:34PM</p> <p>5     A   Authorized?                  <b>5:10:37PM</b></p> <p>6     Q   Yes.                       <b>5:10:37PM</b></p> <p>7     A   No.                        5:10:38PM</p> <p>8     Q   Is there a computer that -- have you   <b>5:10:40PM</b><br/>ever used a computer at the courthouse to access<br/>the Internet?</p> <p>9     A   No.                        5:10:50PM</p> <p>10     Q   To your knowledge, are there other   <b>5:10:53PM</b><br/>court officers at the courthouse where you work<br/>who are authorized to use a computer to access<br/>the Internet at the courthouse?</p> <p>11     A   Authorized?                5:11:04PM</p> <p>12     Q   Yes.                      <b>5:11:05PM</b></p> <p>13     A   No.                      5:11:06PM</p> <p>14     Q   Are you aware of any other court   <b>5:11:07PM</b><br/>officers who use -- at any point have used a<br/>computer at the courthouse to access the<br/>Internet without authorization?</p> <p>15     A   Well, two things. One, Ty and I don't 5:11:22PM<br/>TSG Reporting - Worldwide (877) 702-9580</p> |
| <p style="text-align: right;">Page 152</p> <p>1           <b>PAUL CAROLLO</b></p> <p>2     work in the same place. Two, even where I work,<br/>I'm not 100 percent sure what -- we have no<br/>access to computers in the courtroom. You have<br/>to have a code. Guys go downstairs to the jury<br/>room, where the jury room has a computer. Its<br/>access level, I don't know. I know there are<br/>some things like there's the Internet and not<br/>the Internet or something in between. I<br/>don't -- I don't really use computers. So I<br/>don't really even notice how far out they can<br/>get on the computers that is downstairs in the<br/>jury room. I think it might have limited<br/>access.</p> <p>3     Q   Other than the courtroom and the jury   <b>5:12:16PM</b><br/>room, are there other computers in the<br/>courthouse that a court officer could access?</p> <p>4     BY MR. GRAFF:                5:12:32PM</p> <p>5     Q   Which courthouse do you work at?    <b>5:12:33PM</b></p> <p>6     A   Hempstead.                5:12:36PM</p> <p>7     MR. NOVIKOFF: That a court officer    5:12:37PM<br/>could access within his authority to use a</p> <p>8     TSG Reporting - Worldwide (877) 702-9580</p>                                                                                                                                                                         | <p style="text-align: right;">Page 153</p> <p>1           <b>PAUL CAROLLO</b></p> <p>2     computer as opposed to breaking into a<br/>judge's chambers and doing it without<br/>authorization?</p> <p>3     BY MR. GRAFF:                5:12:43PM</p> <p>4     Q   Well, are there computers in judges'   <b>5:12:43PM</b><br/>chambers? Let me first start with that.<br/>There's the courtroom, the jury room. Are there<br/>computers that you're aware of in other<br/>locations in the Hempstead courthouse?</p> <p>5     A   Let's go through that again. I        5:12:56PM<br/>believe they've all been given a laptop. Is<br/>there a computer in their chambers? I really<br/>don't even go into their chambers. I would<br/>imagine at one time there was. We have this<br/>thing, they have a laptop and it plugs right<br/>onto their desk. Most of them don't use it<br/>anyway. The laptop plugs into it. I guess it's<br/>hooked up to wireless.</p> <p>6     Q   Is there any kind of public Internet   <b>5:13:31PM</b><br/>terminal in the courthouse?</p> <p>7     A   I think the -- you mean for wireless   5:13:38PM<br/>access?</p> <p>8     Q   Any kind of terminal that a member of   <b>5:13:42PM</b><br/>the public could use to access the Internet in</p> <p>9     TSG Reporting - Worldwide (877) 702-9580</p>                                                                                                                          |

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| <p style="text-align: center;">Page 154</p> <p>1           <b>PAUL CAROLLO</b><br/>2       the courthouse.<br/>3       A   The jury room, there's a computer   5:13:48PM<br/>4       downstairs in the jury room. I don't know how<br/>5       far and what it does.<br/>6       MR. NOVIKOFF: Ari, I have to presume  5:13:55PM<br/>7       that you're asking these questions because<br/>8       these threats came from a terminal that you<br/>9       believe came from 99 Main Street; is that<br/>10      right?<br/>11      ATTORNEY1: Believe that these came  5:14:07PM<br/>12      from a courthouse, yes.<br/>13      MR. NOVIKOFF: At 99 Main Street?   5:14:09PM<br/>14      MR. GRAFF: I'm not certain.        5:14:11PM<br/>15      MR. NOVIKOFF: Because there are a lot  5:14:12PM<br/>16      of courthouses in Nassau County.<br/>17      MR. GRAFF: I understand.          5:14:15PM<br/>18     BY MR. GRAFF:                    5:14:15PM<br/>19      Q   Are there -- is there anybody at the  5:14:16PM<br/>20      courthouse where you work who works with you who<br/>21      also worked or works as an Ocean Beach police<br/>22      officer?<br/>23      A   Say that again.                5:14:28PM<br/>24      Q   Do any current or former Ocean Beach  5:14:29PM<br/>25      police officers work with you at the Hempstead<br/><br/>TSG Reporting - Worldwide (877) 702-9580</p>                                       | <p style="text-align: center;">Page 155</p> <p>1           <b>PAUL CAROLLO</b><br/>2       courthouse?<br/>3       A   Yes.                           5:14:34PM<br/>4       Q   Who are those?               5:14:35PM<br/>5       A   That's Walter Moeller.       5:14:37PM<br/>6       Q   Is there anyone else?        5:14:38PM<br/>7       A   No.                            5:14:41PM<br/>8       Q   When did you first meet Walter   5:14:42PM<br/>9       Moeller?<br/>10      A   I think I'm in Nassau County six  5:14:58PM<br/>11      years. Did I meet him specifically -- within<br/>12      the last six years.<br/>13      Q   And did you meet him in the context of  5:15:10PM<br/>14      your work as a courthouse officer?<br/>15      A   Yes.                            5:15:20PM<br/>16      Q   Do you recall Walter Moeller ever  5:15:21PM<br/>17      making any statements with reference to a blog?<br/>18      A   I can't say for sure. I mean as a  5:15:37PM<br/>19      conversation, I guess it was probably made in<br/>20      conversation.<br/>21      Q   Did you ever hear him make any  5:15:43PM<br/>22      reference to a blog, writing on a blog<br/>23      concerning plaintiffs?<br/>24      A   No.                            5:15:52PM<br/>25      Q   You met Walter Moeller before you  5:15:57PM<br/><br/>TSG Reporting - Worldwide (877) 702-9580</p>                          |
| <p style="text-align: center;">Page 156</p> <p>1           <b>PAUL CAROLLO</b><br/>2       started working at Ocean Beach?<br/>3       A   Yes.                        5:16:02PM<br/>4       Q   Did Walter Moeller have anything to do  5:16:03PM<br/>5       with your decision to seek employment at Ocean<br/>6       Beach?<br/>7       A   Yes.                        5:16:08PM<br/>8       Q   And what was his role in that?    5:16:09PM<br/>9       A   He told me -- I was taking a criminal  5:16:11PM<br/>10      justice class, and I happened to have been<br/>11      working on a door one day, magnetometer, and I<br/>12      guess he saw that I was studying for, you know,<br/>13      taking a criminal justice class. And he<br/>14      mentioned, oh, you want me to put your name in<br/>15      in Ocean Beach. I said sure. I had been --<br/>16      almost the first time -- we may have been in the<br/>17      same building for a while, but we worked in<br/>18      different areas. It might be really one of the<br/>19      first times I met him.<br/>20      Q   At any point, did you come to consider  5:16:53PM<br/>21      Walter Moeller a friend?<br/>22      A   Yes.                        5:16:57PM<br/>23      Q   And today do you consider him a    5:16:58PM<br/>24      friend?<br/>25      A   Yes. Friendly. I don't know if I    5:17:01PM<br/><br/>TSG Reporting - Worldwide (877) 702-9580</p> | <p style="text-align: center;">Page 157</p> <p>1           <b>PAUL CAROLLO</b><br/>2       consider anyone my friend.<br/>3       Q   Did your feelings towards Walter    5:17:05PM<br/>4       Moeller change at any point?<br/>5       A   No.                        5:17:11PM<br/>6       Q   What about George Hesse? At any point  5:17:12PM<br/>7       did you consider him to be a friend?<br/>8       A   I wouldn't say a friend.          5:17:20PM<br/>9       MR. NOVIKOFF: I think the witness    5:17:22PM<br/>10      just said he doesn't consider anyone to be a<br/>11      friend.<br/>12      MR. GRAFF: I may have missed that.  5:17:26PM<br/>13     BY MR. GRAFF:                    5:17:27PM<br/>14      Q   Is that correct?               5:17:29PM<br/>15      A   Yes.                        5:17:29PM<br/>16      MR. GRAFF: If I can ask you to please  5:18:36PM<br/>17      mark as Exhibit Carollo 11 a one-page<br/>18      document bearing Bates Number 004420.<br/>19      (Whereupon, a one-page document    5:18:45PM<br/>20      bearing Bates No. 004420 was marked as<br/>21      Plaintiff's Exhibit 11 for identification,<br/>22      as of this date.)<br/>23     BY MR. GRAFF:                    5:18:45PM<br/>24      Q   When you've had a chance to look this  5:19:32PM<br/>25      over, my first question is whether this is<br/><br/>TSG Reporting - Worldwide (877) 702-9580</p> |

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PAUL CAROLLO

**Q** And then it says, "Has come in for 5:20:52PM  
some training to keep current status."

A Yes. 5:20:56PM

**Q** Do you understand what that refers to? 5:20:58PM

A You have to work once a year to keep 5:21:00PM  
your police status.

**Q** And what is the basis for your saying 5:21:04PM  
that?

A Of my saying that? 5:21:08PM

**Q** Why would you say that? 5:21:10PM

A Because that's what I was told. 5:21:11PM

**Q** Who told you that? 5:21:12PM

A Specifically? 5:21:17PM

**Q** If you recall. 5:21:17PM

A I think it's just general knowledge. 5:21:21PM

**Q** And what was the nature of the 5:21:26PM  
training that you came into after March 27th,  
'07?

A Watching training videos. 5:21:37PM

**Q** Where did you watch those videos? 5:21:39PM

A In the station. 5:21:41PM

**Q** Were you paid for watching those 5:21:42PM  
videos?

A Yes. 5:21:44PM

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1 PAUL CAROLLO  
2 Q How much time did you spend? 5:21:46PM  
3 A A shift. 5:21:48PM  
4 Q A shift? 5:21:49PM  
5 A Yes. 5:21:50PM  
6 Q Did anyone watch the videos with you 5:21:52PM  
7 on that shift?  
8 A No. I don't think so. I think I did 5:21:59PM  
9 them by myself.  
10 Q And did you schedule that shift to 5:22:03PM  
11 come in to watch videos? Did you deal with  
12 anybody specifically to schedule that?  
13 A I think I probably dealt with Paul 5:22:21PM  
14 Troesco.  
15 Q And what was Paul Troesco's position at 5:22:25PM  
16 that time?  
17 A Well, he's a police officer. I don't 5:22:37PM  
18 know if he had another title. I mean I don't  
19 know if they -- you know, he wasn't a sergeant.  
20 He was a police officer. I guess that's as much  
21 as I can answer that question.  
22 Q Did you contact Mr. Troesco to schedule 5:22:53PM  
23 that shift?  
24 A Did he contact me or did I contact 5:23:05PM  
25 him? I don't remember how it all transpired.

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**PAUL CAROLLO**

**Q Did you speak with anyone at the police department when you went there on that occasion to watch the videos?** 5:23:14PM

A Paul Troesco. 5:23:25PM  
You mean was someone there with me? 5:23:25PM

**Q Did you talk to anyone on that day when you were there?** 5:23:28PM

A Yeah. I mean Troesco was there. 5:23:32PM

**Q Was anyone else there?** 5:23:35PM

A George may have been there a couple of times. I don't think he was there the whole shift. He may have done like a 4-to-12 shift -- I think I did a 4-to-12 shift. I remember George was there at one time. And then he left. He overlapped the shift or something.

**Q Have you ever seen any Ocean Beach police officers drinking in the police station, drinking alcoholic beverages?** 5:24:00PM

A On duty or off duty? 5:24:13PM

**Q Either.** 5:24:15PM

A Yeah. 5:24:19PM

**Q And have you seen officers drinking on duty in the police station?** 5:24:20PM

A I can't say whether -- I would say 5:24:30PM

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| <p style="text-align: center;">Page 162</p> <p>1                   PAUL CAROLLO<br/>2 they were off duty.<br/>3   <b>Q And who are you referring to?</b>    <b>5:24:33PM</b><br/>4   A You're probably trying to refer to the 5:24:38PM<br/>5 Bosettis. They would come and stay all weekend.<br/>6 So they'd be coming around the station. My<br/>7 point is, I can't say whether they're on duty,<br/>8 off duty. It's like people mulling all around.<br/>9   <b>Q Just to be clear. Did you see Gary</b>   <b>5:24:57PM</b><br/>10   <b>Bosetti drinking in the police station, whether</b><br/>11   <b>or not you knew whether he was on duty?</b><br/>12   A You know, I don't want to say that I 5:25:07PM<br/>13 remember -- you know, I know that they've been<br/>14 out and around. Were they in the station, did<br/>15 they still have a drink in their hand, I can't<br/>16 say I'm totally sure.<br/>17   <b>Q As far as --</b>                   <b>5:25:21PM</b><br/>18   A You're asking me if I see people 5:25:22PM<br/>19 sitting around in the station just drinking like<br/>20 that?<br/>21   <b>Q Sure.</b>                       <b>5:25:25PM</b><br/>22   A No.                            5:25:25PM<br/>23   <b>Q Have you ever seen empty cans of</b>   <b>5:25:26PM</b><br/>24   <b>alcohol or used shot glasses around in the</b><br/>25   <b>police station?</b></p> <p style="text-align: center;">TSG Reporting - Worldwide (877) 702-9580</p>                                          | <p style="text-align: center;">Page 163</p> <p>1                   PAUL CAROLLO<br/>2 A I've seen them in the barracks. I 5:25:44PM<br/>3 can't say for sure that I've seen empty ones in<br/>4 the station or not.<br/>5   <b>Q Have you seen empty cans or bottles of</b>   <b>5:25:51PM</b><br/>6   <b>beer or any alcohol in any police vehicle?</b><br/>7   A In any police vehicle, no.                   5:25:59PM<br/>8   <b>Q When I say police station, up until</b>    <b>5:26:12PM</b><br/>9   <b>this point in the deposition, did you understand</b><br/>10   <b>me to be referring to the barracks?</b><br/>11   A The station.                            5:26:21PM<br/>12   MR. CONNOLLY: The station as 5:26:23PM<br/>13 distinguished from the barracks?<br/>14   THE WITNESS: Yes.                           5:26:28PM<br/>15 BY MR. GRAFF:                                5:26:29PM<br/>16   <b>Q Other than Richard and Gary Bosetti,</b>   <b>5:26:30PM</b><br/>17   <b>do you remember seeing any other police officers</b><br/>18   <b>drinking in the police station, whether they</b><br/>19   <b>were on or off duty?</b><br/>20   MR. CONNOLLY: Objection.                 5:26:39PM<br/>21   A At the end of some shifts, some guys 5:26:40PM<br/>22 would get rocket fuels before they left.<br/>23   <b>Q What is rocket fuel?</b>                   <b>5:26:44PM</b><br/>24   A I don't know what it is. It's a 5:26:46PM<br/>25 drink. What's in it or what it is, I don't</p> <p style="text-align: center;">TSG Reporting - Worldwide (877) 702-9580</p> |
| <p style="text-align: center;">Page 164</p> <p>1                   PAUL CAROLLO<br/>2 know.<br/>3   <b>Q Do you know where they would procure</b>   <b>5:26:51PM</b><br/>4   <b>the rocket fuel? That is where they got it?</b><br/>5   A I think CJ's is the one. I don't know 5:26:58PM<br/>6 if they all make it, but CJ's makes it.<br/>7   <b>Q And rocket fuel is an alcoholic drink?</b>   <b>5:27:05PM</b><br/>8   A I believe so.                            5:27:07PM<br/>9   <b>Q Have you ever had a drink of rocket</b>   <b>5:27:08PM</b><br/>10   <b>fuel?</b><br/>11   A No.                                    5:27:10PM<br/>12   <b>Q Who did you see ordering rocket fuel</b>   <b>5:27:15PM</b><br/>13   <b>to the police station?</b><br/>14   MR. NOVIKOFF: Objection.                5:27:20PM<br/>15   MR. CONNOLLY: Objection.                5:27:22PM<br/>16   MR. NOVIKOFF: I don't think he said 5:27:22PM<br/>17 he saw people ordering.<br/>18 BY MR. GRAFF:                              5:27:24PM<br/>19   <b>Q When you said they would get rocket</b>   <b>5:27:25PM</b><br/>20   <b>fuel to the station, who are you referring to?</b><br/>21   MR. NOVIKOFF: Objection to the form. 5:27:30PM<br/>22 His testimony was that he would see on some<br/>23 occasions certain of the police officers at<br/>24 the end of the shifts getting rocket fuels.<br/>25 And I think that was the extent of his</p> <p style="text-align: center;">TSG Reporting - Worldwide (877) 702-9580</p> | <p style="text-align: center;">Page 165</p> <p>1                   PAUL CAROLLO<br/>2 testimony. So that's my objection.<br/>3 BY MR. GRAFF:                              5:27:46PM<br/>4   <b>Q Did you see officers getting rocket</b>   <b>5:27:46PM</b><br/>5   <b>fuel or in possession of rocket fuel in the</b><br/>6   <b>police station?</b><br/>7   A Yeah.                                    5:27:56PM<br/>8   <b>Q Did you see officers drinking rocket</b>   <b>5:27:57PM</b><br/>9   <b>fuel in the police station?</b><br/>10   MR. NOVIKOFF: Whether on duty or off 5:28:02PM<br/>11 duty?<br/>12   MR. GRAFF: Whether on duty or off 5:28:04PM<br/>13 duty.<br/>14   MR. NOVIKOFF: Objection to the form. 5:28:07PM<br/>15 A Did I see -- at the end of the shift, 5:28:14PM<br/>16 a lot of guys or a few guys -- I won't even say<br/>17 a lot -- would get the rocket fuels. They were<br/>18 on their way out. Were they at the station in<br/>19 their hands, yes. Were they sitting there<br/>20 drinking them, no, I don't know about that.<br/>21   <b>Q Which officers are you referring to?</b>   <b>5:28:31PM</b><br/>22 A It seemed like a few of them.            5:28:32PM<br/>23   <b>Q Can you name them?</b>                   <b>5:28:34PM</b><br/>24 A I can always remember the biggest one 5:28:41PM<br/>25 would be Dave Gurden. Other than that, I'm</p> <p style="text-align: center;">TSG Reporting - Worldwide (877) 702-9580</p>                                                                                                                |

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| 1 PAUL CAROLLO<br>2 taking a stab at which ones were actually off.<br>3 Q Now, to make sure I understand. 5:29:00PM<br>4 You would see them drinking in the 5:29:02PM<br>5 police station rocket fuel and then leaving?<br>6 MR. NOVIKOFF: Objection. That wasn't 5:29:08PM<br>7 his testimony. It's actually quite the<br>8 opposite.<br>9 MR. CONNOLLY: Objection. 5:29:11PM<br>10 A At the end of a shift, they would get 5:29:12PM<br>11 them as they were leaving.<br>12 Q As they were leaving to go where? 5:29:18PM<br>13 A Home. 5:29:20PM<br>14 Q And how would they get from the police 5:29:24PM<br>15 station to their vehicles, their personal<br>16 vehicles?<br>17 MR. NOVIKOFF: Objection. 5:29:32PM<br>18 MR. CONNOLLY: Objection. 5:29:33PM<br>19 A They'd be driven out in the truck. 5:29:34PM<br>20 Q And who would drive them out in the 5:29:37PM<br>21 truck?<br>22 A Whoever was available to drive them 5:29:41PM<br>out.<br>23 Q Whoever was on duty? 5:29:44PM<br>24 A Sometimes. And sometimes not. 5:29:48PM<br><br>TSG Reporting - Worldwide (877) 702-9580 | 1 PAUL CAROLLO<br>2 Sometimes somebody at the end of that shift.<br>3 Q So the officers would leave with the 5:29:52PM<br>4 rocket fuel and be driven to their vehicles, as<br>5 far as you know?<br>6 A Yes. 5:30:02PM<br>7 Q And you don't recall specifically who 5:30:10PM<br>8 any of those officers were?<br>9 A You know, it would be unfair to say 5:30:13PM<br>10 that, because maybe sometimes one person would<br>11 get them, maybe a few would get them. It would<br>12 be different people.<br>13 Q Was George Hesse ever one of the 5:30:22PM<br>14 officers that you saw drink rocket fuel?<br>15 MR. NOVIKOFF: Objection. 5:30:27PM<br>16 MR. CONNOLLY: Objection. 5:30:28PM<br>17 MR. NOVIKOFF: He didn't testify he 5:30:28PM<br>18 saw people drinking rocket fuel.<br>19 BY MR. GRAFF: 5:30:32PM<br>20 Q Did you testify that you saw people 5:30:33PM<br>21 drinking rocket fuel as they were leaving the<br>22 police station?<br>23 A At the end of a shift, some guys would 5:30:40PM<br>get the rocket fuels as they were leaving. Were<br>24 they standing in the station with them at times,<br>25 TSG Reporting - Worldwide (877) 702-9580 |
| 1 PAUL CAROLLO<br>2 milling about on their way out, yes. Were they<br>3 sitting there drinking rocket fuels, no.<br>4 Q Okay. 5:30:57PM<br>5 A Which specific people, I just can't 5:31:00PM<br>say.<br>6 Q When you saw the officers on those 5:31:03PM<br>occasions, whether or not they were sitting down<br>7 to drink, did you see them drinking the rocket<br>8 fuel as they exited? Does the question make<br>9 sense?<br>10 MR. NOVIKOFF: Objection to form. I 5:31:14PM<br>think he's answered this three times now.<br>11 A The thing is in a plastic cup and a 5:31:19PM<br>straw.<br>12 Q So would you see them sucking on the 5:31:22PM<br>straw as they were leaving?<br>13 MR. NOVIKOFF: Objection. 5:31:25PM<br>14 MR. CONNOLLY: Objection. That would 5:31:27PM<br>be drinking.<br>15 A Yeah, I can't say no one ever took a 5:31:28PM<br>sip of one in the station. I don't know. They<br>16 were in civilian clothes.<br>17 Q Okay. Did you ever see anybody in 5:31:37PM<br>uniform taking a sip of rocket fuel in the<br>18 TSG Reporting - Worldwide (877) 702-9580   | 1 PAUL CAROLLO<br>station?<br>2 A I can't, you know, specifically say 5:31:44PM<br>3 yes or no.<br>4 Q Did you ever see George Hesse take a 5:31:47PM<br>5 sip of rocket fuel in the station?<br>6 MR. NOVIKOFF: While on duty or off 5:31:55PM<br>duty?<br>7 BY MR. GRAFF: 5:31:57PM<br>8 Q If you knew his status, I'll ask that 5:31:59PM<br>next. But the question now is ever.<br>9 A I don't think George was as big a 5:32:07PM<br>10 rocket fuel drinker as the other ones. Did I<br>ever see him have a rocket fuel or not,<br>11 probably. Was he inside, outside, I don't know.<br>12 Q And did you ever see George Hesse take 5:32:18PM<br>13 a sip of rocket fuel or any other alcoholic<br>14 beverage in uniform?<br>15 A That, I can't remember. 5:32:26PM<br>16 Q On any of the occasions when you did 5:32:27PM<br>see George Hesse take a sip of an alcoholic<br>17 beverage, do you know if he was on duty at the<br>time?<br>18 MR. NOVIKOFF: Objection to form. 5:32:34PM<br>19 MR. CONNOLLY: Objection. 5:32:35PM<br>20 TSG Reporting - Worldwide (877) 702-9580                                                                                 |

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| 1 PAUL CAROLLO<br>2 A No. 5:32:36PM<br>3 MR. NOVIKOFF: I don't think he's 5:32:37PM<br>4 testified that he ever saw George Hesse take<br>5 a sip of alcohol.<br>6 BY MR. GRAFF: 5:32:40PM<br>7 Q Maybe I misunderstood you. Did you 5:32:43PM<br>8 ever see George Hesse --<br>9 A I think I've seen -- I can't say who's 5:32:46PM<br>10 on duty, off duty, especially on the shift we<br>11 work. You got a midnight shift. You got people<br>12 sleeping over. So for me to really say this<br>13 person did this and this person did that, I<br>14 would be taking a stab at what maybe you think<br>15 you saw or not.<br>16 Q Without getting into on or off duty or 5:33:08PM<br>17 uniform, just to be clear, because we apparently<br>18 heard different things. Did you see George<br>19 Hesse in the station take a sip of alcohol ever?<br>20 A Specifically at the station take a sip 5:33:27PM<br>21 of alcohol? I remember seeing -- I do remember<br>22 seeing him have a rocket fuel in his hand.<br>23 Whether he was in the station sipping it, unfair<br>24 to say. I really can't take a stab at it.<br>25 Q The rocket fuel in a cup, you said it 5:33:50PM<br><br>TSG Reporting - Worldwide (877) 702-9580 | Page 171<br><br>1 PAUL CAROLLO<br>2 would have a lid on it?<br>3 A I believe they're in a plastic cup 5:33:54PM<br>4 with a cover.<br>5 Q With a cover. Does a container like 5:33:58PM<br>6 that, to your knowledge, count as an open<br>7 container for the purpose of laws about driving<br>8 with alcohol?<br>9 A I don't know. It's a good question. 5:34:15PM<br>10 That would be a good trial question.<br>11 Q Have you ever off duty had a drink in 5:34:23PM<br>12 any of the bars in Ocean Beach?<br>13 A Me? 5:34:30PM<br>14 Q Yes. 5:34:30PM<br>15 A No. 5:34:31PM<br>16 Q Have you ever observed other officers, 5:34:32PM<br>17 whether or not they were on duty, drinking at<br>18 bars in Ocean Beach?<br>19 MR. NOVIKOFF: Objection to form. 5:34:41PM<br>20 MR. CONNOLLY: Objection. 5:34:42PM<br>21 A Did they go in bars and drink, yes. 5:34:43PM<br>22 Q As far as you know, were any of the 5:34:45PM<br>23 officers who you're aware of who would drink in<br>24 bars in Ocean Beach, did any of them drink in a<br>25 bar in Ocean Beach while they were on duty?<br><br>TSG Reporting - Worldwide (877) 702-9580                                                                     |
| 1 PAUL CAROLLO<br>2 A I don't know. 5:34:55PM<br>3 Q Did you ever see an officer in 5:34:58PM<br>4 uniform, whether or not he or she was on duty,<br>5 drink in a bar in Ocean Beach?<br>6 MR. NOVIKOFF: Drinking anything in a 5:35:06PM<br>7 bar?<br>8 MR. GRAFF: Drinking an alcoholic 5:35:07PM<br>9 beverage.<br>10 MR. NOVIKOFF: Objection to the form. 5:35:10PM<br>11 Unless you could establish that this witness<br>12 knew exactly what was in a cup or glass,<br>13 then I would have to object on the basis of<br>14 foundation.<br>15 A I didn't hang out in the bars, so I 5:35:19PM<br>16 wasn't in them, thank God.<br>17 Q Did anyone ever instruct you to not 5:35:28PM<br>18 issue summonses or to issue less summonses to<br>19 underage drinkers at any particular bar at Ocean<br>20 Beach?<br>21 MR. NOVIKOFF: Form. 5:35:42PM<br>22 MR. CONNOLLY: Objection. 5:35:43PM<br>23 A No. About -- let's see, he's 17, 16 5:35:43PM<br>24 now, my son. He was probably about 11. I<br>25 remember it was a weekend. And I didn't drink<br><br>TSG Reporting - Worldwide (877) 702-9580                                                                                                                          | Page 172<br><br>1 PAUL CAROLLO<br>2 much at all, and I don't know if I had two beers<br>3 one day or I had a beer on a Saturday and a beer<br>4 on a Sunday. And I remember he looked at me and<br>5 said, wow, you're drinking a lot this weekend.<br>6 And it struck me as holy crap, they watch you.<br>7 And at that point I made a decision that I don't<br>8 drink. So in reference to your questions even,<br>9 I don't drink. One of the best decisions I ever<br>10 made, especially going through all of this. I<br>11 was not subject to being in bars, hanging out<br>12 with anybody.<br>13 Q When did you make that decision for 5:36:48PM<br>14 yourself?<br>15 A Maybe six years ago, seven years ago. 5:36:50PM<br>16 Q I'm going to ask some questions going 5:37:14PM<br>17 through the complaint in this case. I know you<br>18 obtained a copy of it.<br>19 MR. NOVIKOFF: Do you have a copy for 5:37:20PM<br>20 us?<br>21 MR. GRAFF: I do. 5:37:23PM<br>22 MR. NOVIKOFF: If you just refer to 5:37:24PM<br>23 the paragraph, then I'll figure out.<br>24 BY MR. GRAFF: 5:37:27PM<br>25 Q Is there anything written on your copy 5:37:33PM<br><br>TSG Reporting - Worldwide (877) 702-9580 |

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1 PAUL CAROLLO  
2 in your handwriting?

3 A Did I write anything, no. 5:37:37PM  
4 MR. GRAFF: Just so we can refer to -- 5:37:38PM  
5 be sure we're referring to identical copies,  
6 I'm going to ask the court reporter to mark  
7 this one as Carollo Exhibit 12 and we'll  
refer to that.

8 (Whereupon, Complaint was marked as 5:37:51PM  
9 Plaintiff's Exhibit 12 for identification,  
10 as of this date.)

11 BY MR. GRAFF: 5:37:51PM

12 Q Mr. Carollo, I know you obtained a 5:38:26PM  
13 copy of the complaint. Did you have a chance to  
14 read through it before today?

15 A Yes. 5:38:32PM

16 Q And when did you last read the 5:38:34PM  
complaint?

17 A Maybe last Friday. I would say 5:38:41PM  
probably Friday.

18 Q Other than reading the complaint, did 5:38:53PM  
19 you look at any other documents in connection  
20 with your anticipated deposition today?

21 A No. 5:39:01PM

22 Q On the very first page of the 5:39:03PM

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1 PAUL CAROLLO  
2 complaint, under the subheading Preliminary  
3 Statement, the first half of the first sentence  
4 refers in quote marks to the blue wall of  
5 silence. Is that a phrase that you had  
6 encountered ever before reading it in this  
7 complaint?

8 MR. NOVIKOFF: Objection. 5:39:20PM

9 A Encountered it or heard it? 5:39:22PM

10 Q Heard it. 5:39:24PM

11 A Yes, I've heard it before. 5:39:25PM

12 Q What do you understand that to refer 5:39:26PM  
to?

13 MR. NOVIKOFF: Objection. 5:39:28PM

14 A To not -- what do I -- to be silent 5:39:35PM  
about anything that goes on in a police  
department.

15 Q I'm going to skip around to certain 5:39:49PM  
16 paragraphs and Mr. Novikoff might have questions  
17 about other paragraphs. But I don't want to  
18 hide the ball. If at any point you'd like to  
19 read another section before answering the  
20 question, just let me know. We can take time.

21 MR. NOVIKOFF: If his answer is no, I 5:40:04PM  
will have no questions.

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1 PAUL CAROLLO

2 BY MR. GRAFF: 5:40:07PM

3 Q Skipping forward to Paragraph 14 -- we 5:40:10PM  
4 don't even have to refer to it. To your  
5 knowledge, at any time that you worked at Ocean  
6 Beach, was there an Ocean Beach police  
7 commissioner?

8 MR. NOVIKOFF: Objection. 5:40:30PM

9 A I don't know. To the best of my 5:40:34PM  
knowledge, and maybe it was after Loeffler took  
10 over that I learned that, I believe the mayor is  
11 the police commissioner.

12 Q Okay. And have you ever heard of a 5:40:42PM  
title Ocean Beach Police Department liaison?

13 A No. 5:40:49PM

14 Q Did you -- do you know if -- other 5:40:53PM  
than in the context of his work as mayor of  
15 Ocean Beach, do you know whether current Mayor  
16 Loeffler ever had any position at the Ocean  
17 Beach Police Department?

18 A Say that again. 5:41:11PM

19 Q Prior to the time that he became 5:41:13PM  
20 mayor, do you know if Mr. Loeffler ever had any  
21 position with the police department?

22 A I know his father was the original 5:41:23PM

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1 PAUL CAROLLO

2 chief. He was a Suffolk County police officer.  
3 I don't know if he worked there or not before.

4 Q Do you know or did anyone ever 5:41:36PM  
5 indicate to you that as a trustee of Ocean  
6 Beach, before he became mayor, Mr. Loeffler had  
7 any responsibilities or role at that police  
8 department?

9 MR. NOVIKOFF: Objection. 5:41:51PM

10 A I don't know. 5:41:52PM

11 Q Paragraph 19, if you could just take a 5:41:55PM  
12 second to read it. I'm not going to read the  
13 whole thing out loud.

14 A (Witness complies.) Okay. 5:42:25PM

15 Q Prior to reading the complaint, had 5:42:27PM  
16 you ever heard of a person named Allison  
17 Sanchez?

18 A No. 5:42:32PM

19 Q What about Allison Chester? 5:42:33PM

20 A No. 5:42:35PM

21 Q Paragraph 24. 5:42:38PM

22 A Okay. 5:42:52PM

23 Q It states, "Plaintiffs are graduates 5:42:52PM  
24 of the Suffolk County police academy, having  
25 successfully completed law enforcement training

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| 1 <b>PAUL CAROLLO</b><br>2       program sanctioned by the municipal bureau of<br>3       police."<br>4       As far as you know, did you complete 5:43:05PM<br>5       such a training program before becoming a police<br>6       officer at Ocean Beach?<br>7       MR. NOVIKOFF: Objection. 5:43:13PM<br>8       A   Have I? 5:43:14PM<br>9 <b>Q   Is that the training program that you 5:43:14PM</b><br>10 <b>went through?</b><br>11      A   Yes. 5:43:17PM<br>12 <b>Q   Paragraph 26 says, "Throughout their 5:43:21PM</b><br>13 <b>careers with the OBPD, plaintiffs performed</b><br>14 <b>their duties in an exemplary fashion and were</b><br>15 <b>never the subject of a public complaint,</b><br>16 <b>investigation or disciplinary action."</b><br>17      Up until the time of the April 2006 5:43:38PM<br>18      meeting, as far as you know, were any of the<br>19      plaintiffs ever the subject of a public<br>20      complaint?<br>21      A   No. 5:43:48PM<br>22      MR. NOVIKOFF: Objection. 5:43:49PM<br>23      BY MR. GRAFF: 5:43:49PM<br>24 <b>Q   What about of any disciplinary action 5:43:50PM</b><br>25 <b>in the context of their employment at Ocean</b><br><br>TSG Reporting - Worldwide (877) 702-9580                                                                               | Page 178 | 1 <b>PAUL CAROLLO</b><br>2 <b>Beach?</b><br>3        MR. NOVIKOFF: Objection. 5:43:56PM<br>4        A   Not that I know of. 5:43:57PM<br>5        MR. GRAFF: What's the objection? 5:43:58PM<br>6        MR. NOVIKOFF: Foundation. How does 5:43:59PM<br>7        this witness know? He was a police officer.<br>8        How would he know that?<br>9        MR. GRAFF: Okay. I understand the 5:44:06PM<br>10      objection.<br>11      MR. NOVIKOFF: In fact, if we could 5:44:09PM<br>12      try not -- if you can, please don't read the<br>13      allegation. It just takes so much more<br>14      time.<br>15      BY MR. GRAFF: 5:44:18PM<br>16 <b>Q   Do you know -- did anyone ever say 5:44:27PM</b><br>17 <b>anything to you about George Hesse passing or</b><br>18 <b>not passing a civil service sergeant's exam?</b><br>19      MR. CONNOLLY: Objection. 5:44:39PM<br>20      A   Did anybody ever say anything to me? 5:44:40PM<br>21      I think everybody knew he failed it.<br>22      MR. NOVIKOFF: Objection. I think 5:44:45PM<br>23      we've all established what George passed and<br>24      didn't pass. I don't think there's a<br>25      dispute to that.<br><br>TSG Reporting - Worldwide (877) 702-9580                                                                        | Page 179 |
| 1 <b>PAUL CAROLLO</b><br>2      BY MR. GRAFF: 5:44:54PM<br>3 <b>Q   During your employment at Ocean Beach, 5:44:54PM</b><br>4 <b>did you ever come to learn that dock masters</b><br>5 <b>were being assigned to cover for police officers</b><br>6 <b>as dispatchers?</b><br>7      MR. CONNOLLY: Objection. 5:45:10PM<br>8      A   Ask that question again. 5:45:11PM<br>9 <b>Q   As far as you know, were dock masters 5:45:14PM</b><br>10 <b>ever assigned to cover as police dispatchers?</b><br>11     A   While they were a dock master? 5:45:22PM<br>12 <b>Q   Yes. 5:45:24PM</b><br>13     A   No. 5:45:26PM<br>14 <b>Q   Paragraph 37, I won't read it, if you 5:45:35PM</b><br>15 <b>could just take a moment to read it yourself.</b><br>16     A   (Witness complies.) Okay. 5:45:40PM<br>17 <b>Q   Do you have any knowledge of anything 5:46:27PM</b><br>18 <b>that's alleged in this paragraph?</b><br>19     A   No. 5:46:30PM<br>20 <b>Q   In the course of your work as a police 5:46:33PM</b><br>21 <b>officer, did you ever have occasion, an occasion</b><br>22 <b>when you confiscated alcoholic beverages from a</b><br>23 <b>civilian for any reason?</b><br>24     A   Yes. 5:46:47PM<br>25 <b>Q   And as far as -- do you know what was 5:46:49PM</b><br><br>TSG Reporting - Worldwide (877) 702-9580 | Page 180 | 1 <b>PAUL CAROLLO</b><br>2      done with those alcoholic beverages after they<br>3      were confiscated?<br>4      A   They were put in the station. 5:46:58PM<br>5 <b>Q   Where in the station? 5:46:59PM</b><br>6      A   In the kitchen area. 5:47:04PM<br>7 <b>Q   And do you know what would happen to 5:47:06PM</b><br>8 <b>those beverages after they were put in the</b><br>9 <b>kitchen area?</b><br>10     A   I think the police officers would take 5:47:12PM<br>11     them and drink them.<br>12 <b>Q   Were you ever asked or instructed by 5:47:26PM</b><br>13 <b>anyone to confiscate particular brands of beer?</b><br>14     A   No. 5:47:34PM<br>15 <b>Q   In Paragraph 43, if you could take a 5:47:42PM</b><br>16 <b>moment to read it. My question is about Officer</b><br>17 <b>Snyder and the emergency cell phone.</b><br>18     A   (Witness complies.) Okay. 5:47:51PM<br>19 <b>Q   Have you had a chance to read that 5:48:43PM</b><br>20 <b>paragraph?</b><br>21     A   Yes. 5:48:45PM<br>22 <b>Q   Are you aware of any officers at the 5:48:46PM</b><br>23 <b>Ocean Beach Police Department who expressed any</b><br>24 <b>resentment toward Officer Snyder for</b><br>25 <b>interrupting them with the emergency police cell</b><br><br>TSG Reporting - Worldwide (877) 702-9580 | Page 181 |

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2 phone?

3 A No. 5:49:05PM

4 Q Do you have knowledge of anything 5:49:06PM  
5 that's alleged in 43?

6 MR. NOVIKOFF: Objection. 5:49:08PM

7 A No. 5:49:09PM

8 MR. NOVIKOFF: Could you maybe short 5:49:21PM  
9 circuit it to ask does he have personal  
10 knowledge of anything that was in the  
11 complaint, since he read the complaint, of  
12 anything that was in the complaint? And if  
13 he says yes, then we can go that way.

14 MR. GRAFF: Sure. 5:49:29PM

15 BY MR. GRAFF: 5:49:30PM

16 Q Were there any allegations in the 5:49:34PM  
17 complaint that you had personal knowledge of?

18 A Sorry, you have to go through it 5:49:46PM  
19 again.

20 MR. NOVIKOFF: If you have to go 5:49:48PM  
21 through it again, then let's not.

22 THE WITNESS: It's not like anything 5:49:53PM  
23 really jumped out.

24 BY MR. GRAFF: 5:49:55PM

25 Q Paragraph 47 and 48, if you could read 5:49:56PM

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2 know who. It was -- the whole thing was kind of  
3 silly to me. The guy walked by. Nobody ever  
4 saw him dealing drugs, but they would say he was  
5 a drug dealer. I have no specifics that -- I  
6 never understood the whole thing.

7 Q Do you remember or do you know what 5:51:27PM  
8 that individual's name is, the one you're  
9 referring to?

10 A No. I can picture him with the 5:51:34PM  
11 bandanna, but I can't remember what his name  
12 was, if I ever knew. He had a wife and  
13 girlfriend that used to walk around with him.

14 The wife and friend used to walk around.

15 Do you want to know what I 5:51:59PM  
16 specifically remember about the thing?

17 Q Yes. 5:52:03PM

18 A What we're talking about here. 5:52:03PM

19 MR. NOVIKOFF: 47 and 48? 5:52:07PM

20 THE WITNESS: Yeah. 5:52:09PM

21 MR. NOVIKOFF: Note my objection to 5:52:10PM  
22 the question.

23 A I don't recall -- the only thing I 5:52:13PM  
24 recall about all of that is there was a time  
25 that the Bosettis might have gone there to a

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2 them both, please.

3 A (Witness complies.) Okay. 5:50:11PM

4 Q Do you have any guess as to the 5:50:26PM  
5 individual who's identified here as a known drug  
6 dealer, who that person is?

7 MR. CONNOLLY: Objection. 5:50:37PM

8 MR. NOVIKOFF: Note my objection. 5:50:37PM

9 MR. GRAFF: I understand. 5:50:38PM

10 A Yeah, could you ask the question 5:50:39PM  
11 again.

12 Q Do you have any -- do you know who the 5:50:41PM  
13 known drug dealer referenced here is?

14 MR. NOVIKOFF: Objection. 5:50:49PM

15 MR. CONNOLLY: Objection. 5:50:50PM

16 A I can't say I -- you're just asking a 5:50:52PM  
17 general question on somebody they all assumed  
18 was a drug dealer?

19 Q Yes. Is there a person that you're 5:50:58PM  
20 aware of?

21 MR. NOVIKOFF: Note my objection. 5:51:02PM

22 A There was some guy I used to walk by, 5:51:03PM  
23 and they said he was a big drug dealer.

24 Q Who would say that? 5:51:08PM

25 A Everybody. Not everybody. I don't 5:51:09PM

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2 party; and then I remember that that was a  
3 problem, they were told not to go there.

4 Q And told by whom? 5:52:26PM

5 A I believe George. 5:52:28PM

6 Q And when did that happen? 5:52:29PM

7 A I don't remember. 5:52:31PM

8 Q Without asking it in any specific 5:52:36PM  
9 date, could you remember if it was closer to the  
10 first season you worked at Ocean Beach or closer  
11 to 2007?

12 A Probably closer to the first season, 5:52:45PM  
13 yeah.

14 Q As far as you know, was George Hesse 5:52:48PM  
15 personal friends with the individual who  
16 everybody identified as a drug dealer?

17 MR. NOVIKOFF: Objection. 5:52:54PM

18 MR. CONNOLLY: Objection. 5:52:55PM

19 A Did he talk to them? The guy walked 5:53:00PM  
20 by, and everybody said hello to him. Did George  
21 have conversations with him? Probably. Were  
22 they close friends? I never heard about it. I  
23 never heard it mentioned that he went to  
24 Manhattan.

25 MR. NOVIKOFF: "He" being George 5:53:14PM

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1 PAUL CAROLLO

2 Hesse?

3 THE WITNESS: Yes. 5:53:16PM

4 BY MR. GRAFF: 5:53:16PM

5 Q Did you ever hear from anyone that 5:53:16PM  
6 George Hesse spent the night at that  
7 individual's residence anywhere?

8 MR. CONNOLLY: Objection. 5:53:22PM

9 A The only thing I really remember, like 5:53:23PM  
10 I said, and I could be wrong, that wasn't the  
11 guy, the place we're talking about, about the  
12 Bosettis going to a party or someplace that was,  
13 you know, later on, like, you know what, it's  
14 not a good idea to hang out there.

15 Q As far as you know, at any point 5:53:39PM  
16 during your employment at Ocean Beach, did  
17 anyone live in the police barracks?

18 MR. NOVIKOFF: Objection to form. 5:53:45PM

19 A What do you mean, live? 5:53:49PM

20 Q Use the police barracks as their 5:54:01PM  
21 primary residence?

22 A Ask the question again. 5:54:09PM

23 Q As far as you know, at any time that 5:54:10PM  
24 you worked at Ocean Beach, was the Ocean Beach  
25 police barracks the residence or the place where

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2 any police officers lived as their main dwelling  
3 place?

4 MR. NOVIKOFF: Same objection. 5:54:23PM

5 A I believe that -- at any time while I 5:54:24PM  
6 was working there or after?

7 Q At any time that you have knowledge 5:54:31PM  
8 of.

9 A I believe that full-timers get a 5:54:34PM  
10 residence. And when Paul Troesco became a  
11 full-time resident, he stayed there.

12 Q Did you observe him staying there at 5:54:44PM  
13 that time?

14 A Yes. 5:54:46PM

15 Q Was that after you had stopped working 5:54:47PM  
16 at Ocean Beach?

17 A It was during one of my training 5:54:50PM  
18 classes, yeah.

19 Q And as far as what you saw, did 5:54:54PM  
20 Mr. Troesco move his stuff in and move into that  
21 as his actual residence?

22 MR. CONNOLLY: Objection. 5:55:05PM

23 A Did he move everything out of his 5:55:05PM  
24 parents' house?

25 Q Yeah. 5:55:11PM

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1 PAUL CAROLLO

2 A I don't remember. 5:55:12PM

3 Q Do you know where his apartment was? 5:55:12PM

4 A What do you mean? 5:55:15PM

5 Q Did he have an apartment somewhere 5:55:16PM  
6 else that he maintained at that time, as far as  
7 you know?

8 A I'm not sure. 5:55:21PM

9 MR. NOVIKOFF: Wasn't Troesco hired 5:55:23PM  
10 after your clients were fired?

11 MR. GRAFF: Yes. 5:55:29PM

12 MR. NOVIKOFF: Let's assume Hesse 5:55:30PM  
13 committed five acts of felony by doing this,  
14 what relevance does it have to this?

15 BY MR. GRAFF: 5:55:41PM

16 Q Could you describe what was in the 5:55:43PM  
17 police barracks? Was it like a locker room?

18 A Yeah, but I never got a locker. I was 5:55:49PM  
19 cheated out of that. You went upstairs --  
20 actually, it was split. There was an apartment,  
21 had nothing do with the police barracks. There  
22 was another door. You got the door to the  
23 building and the door that went into the  
24 barracks. As soon as you went into the door, to  
25 the left was a bathroom. And there was a

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2 hallway, and it had all lockers in it and a  
3 couple of closets too, I think. And you went  
4 straight back, there was another room back there  
5 that had lockers and beds. And then there was a  
6 room next to that that had lockers and beds.

7 You know what, let me rephrase that. 5:56:32PM

8 I think the first room I said, I don't know if  
9 there was any lockers in there. It might have  
10 been all closets. The other room had more  
11 lockers in it and beds; and when you came out,  
12 there was another -- then you went into like a  
13 living room/kitchen.

14 Q Were there any private bedrooms within 5:56:58PM  
15 the barracks?

16 A When I was there? 5:57:07PM

17 Q Yes. 5:57:08PM

18 A George had a room. 5:57:09PM

19 Q George had a room in the barracks? 5:57:10PM

20 A Yes. 5:57:12PM

21 Q At what point in time did he have that 5:57:12PM  
22 room? Did he have it at all times that he  
23 worked there?

24 A Yes. 5:57:32PM

25 Q And did George Hesse live in that 5:57:35PM

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| 1                   PAUL CAROLLO<br>2 room?<br>3                   MR. CONNOLLY: Objection.       5:57:38PM<br>4                   A When he stayed over, he stayed in that 5:57:41PM<br>5 room. He lived at home with his wife and kids.<br>6 <b>Q Where is the home you're referring to? 5:57:46PM</b><br>7                   A I believe it's in Islip -- east Islip. 5:57:48PM<br>8 <b>Q Other than Mr. Trospo, did anyone else 5:57:56PM</b><br>9 live in the police barracks that you know of?<br>10                  A No. You're talking about a home,     5:58:04PM<br>11 right?<br>12 <b>Q Yeah.                           5:58:10PM</b><br>13                  A Where they live nowhere else?     5:58:10PM<br>14 <b>Q Yeah.                           5:58:13PM</b><br>15                  A No one that I know.              5:58:14PM<br>16 <b>Q And did George Hesse at all times that 5:58:15PM</b><br>17 you worked there, as far as you know, have a<br>18 home that was somewhere outside of Ocean Beach?<br>19                  A Yes. I'm trying not to get your     5:58:21PM<br>20 question mixed up with people coming and working<br>21 a whole weekend. Yes, they stayed over. When<br>22 they weren't working and they were partying or<br>23 whatever, you know, they stayed there, yes.<br>24 <b>Q Did you ever stay over in the police 5:58:39PM</b><br>25 barracks?<br><br>TSG Reporting - Worldwide (877) 702-9580 | 1                   PAUL CAROLLO<br>2                   A I think I might have done a 9-to-5   5:58:48PM<br>3 shift, and I think I had court at 8:00 the next<br>4 morning. I think I may have stayed once.<br>5 <b>Q Earlier, when you had indicated that 5:59:03PM</b><br>6 beers that would be confiscated would go to the<br>7 kitchen and be consumed, who would drink those<br>8 beers?<br>9                   A Whoever. I guess they eventually made 5:59:15PM<br>10 their way up to the barracks.<br>11 <b>Q That would be police officers who 5:59:20PM</b><br>12 would eventually drink them?<br>13                  MR. NOVIKOFF: Objection.           5:59:23PM<br>14                  A Yes.                                   5:59:25PM<br>15 <b>Q Can you identify by name anybody that 5:59:27PM</b><br>16 you're aware of that would drink confiscated<br>17 alcohol?<br>18                  A Probably whoever was staying over,   5:59:34PM<br>19 whatever.<br>20 <b>Q As far as you know, did George Hesse 5:59:38PM</b><br>21 at any point store anything that had been<br>22 confiscated from civilians in his own office at<br>23 the police department?<br>24                  MR. CONNOLLY: Objection.           5:59:52PM<br>25                  A Are you talking about the drawer?   5:59:53PM<br><br>TSG Reporting - Worldwide (877) 702-9580                                                  |
| 1                   PAUL CAROLLO<br>2 <b>Q Yes.                           5:59:54PM</b><br>3                  A What's the question?              6:00:01PM<br>4 <b>Q Well, what was the drawer that 6:00:03PM</b><br>5 you're --<br>6                  A The drawer where he says there's drugs 6:00:05PM<br>7 in there.<br>8 <b>Q In the complaint?                   6:00:09PM</b><br>9                  A Yes.                                   6:00:10PM<br>10 <b>Q The drawer in George Hesse's office 6:00:10PM</b><br>11 that had confiscated drugs? That's alleged.<br>12                 MR. NOVIKOFF: Let the record reflect 6:00:17PM<br>13 the witness was pointing to some point of<br>14 the complaint. What allegation is that, so<br>15 we're on the same page?<br>16                 THE WITNESS: I wasn't pointing at 6:00:23PM<br>17 anything specific. I just remember -- I<br>18 know what you're referring to.<br>19                 MR. NOVIKOFF: There's some allegation 6:00:29PM<br>20 in the complaint about some drugs being in<br>21 George Hesse's desk.<br>22                 MR. GRAFF: Yeah.                      6:00:34PM<br>23 BY MR. GRAFF:                                   6:00:34PM<br>24 <b>Q Do you have any knowledge of that 6:00:35PM</b><br>25 being the case?<br><br>TSG Reporting - Worldwide (877) 702-9580                                                                                     | 1                   PAUL CAROLLO<br>2                  A Yes.                                   6:00:37PM<br>3 <b>Q Do you have any knowledge of there 6:00:41PM</b><br>4 being a drawer in George Hesse's office where he<br>5 did store drugs?<br>6                 MR. NOVIKOFF: Confiscated.           6:00:49PM<br>7                 MR. CONNOLLY: Confiscated.           6:00:50PM<br>8                 MR. GRAFF: Yeah.                       6:00:51PM<br>9                 A Where they came from exactly, I don't 6:00:52PM<br>10 know. There was drugs in the drawer, yes.<br>11 <b>Q How did you know there were drugs in a 6:00:59PM</b><br>12 drawer in George Hesse's office?<br>13                 A Because whenever you went in to get 6:01:05PM<br>14 whatever else, there were drugs in there, a lot<br>15 of stuff in there.<br>16 <b>Q Can you remember any of the stuff that 6:01:10PM</b><br>17 you were referring to?<br>18                 A Not specifically. Maybe marijuana. I 6:01:13PM<br>19 can't remember more specific stuff. Different<br>20 drugs, I guess.<br>21 <b>Q Did George Hesse ever say anything to 6:01:24PM</b><br>22 you to the effect that he had used drugs?<br>23                 A No.                                   6:01:32PM<br>24 <b>Q Have you ever known George Hesse to 6:01:33PM</b><br>25 use illegal drugs?<br><br>TSG Reporting - Worldwide (877) 702-9580 |

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1 PAUL CAROLLO

2 A No. 6:01:38PM  
3 Q There's some allegations in the 6:01:44PM  
4 complaint in general about George Hesse and  
5 sexual escapades. Without referring to anything  
6 specific, had you ever -- has George Hesse ever  
7 communicated to you that he had any sexual  
8 relationships with any residents of Ocean Beach?

9 MR. CONNOLLY: Objection. 6:02:06PM

10 A Residents? There was talk of all 6:02:08PM  
11 kinds of stuff.

12 Q Was that talk by George Hesse? 6:02:13PM

13 A By everybody, yeah. 6:02:15PM

14 Q Did George Hesse ever tell you that -- 6:02:17PM  
15 ever recount any sexual relationships that he  
16 had with anyone during his employment at Ocean  
17 Beach?

18 MR. CONNOLLY: Objection. 6:02:30PM

19 BY MR. GRAFF: 6:02:30PM

20 Q Did he ever tell you about any sexual 6:02:30PM  
21 relationships he had other than with his wife?

22 A Their encounter or that he had sex 6:02:36PM  
23 with somebody?

24 Q Yeah. 6:02:40PM

25 MR. CONNOLLY: Objection. 6:02:40PM

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1 PAUL CAROLLO

2 MR. GRAFF: Anything. 6:04:14PM

3 MR. CONNOLLY: Objection. 6:04:15PM

4 BY MR. GRAFF: 6:04:15PM

5 Q Metaphorically in a non-literal sense. 6:04:16PM

6 MR. CONNOLLY: Objection. 6:04:25PM

7 A That's a tough one. I don't know. I 6:04:25PM  
8 could picture him saying something like that. I  
9 don't know if he ever said that or not.

10 Q Paragraph 56, if you could flip 6:04:52PM  
11 forward.

12 A (Witness complies.) 6:04:56PM

13 Q My question is about actually the 6:05:11PM  
14 first sentence of this paragraph.

15 MR. CONNOLLY: What number? 6:05:32PM

16 MR. GRAFF: 56. 6:05:33PM

17 A Okay. 6:05:34PM

18 Q I'm sorry, it probably doesn't make as 6:05:38PM  
19 much sense without reading 55 first.

20 Did you ever hear anything from anyone 6:06:17PM  
21 about the substance of what's alleged in 55 and  
22 the first sentence of 56?

23 MR. NOVIKOFF: Objection. 6:06:23PM

24 A Yeah, this is the situation with the 6:06:24PM  
25 kids that were staying in the apartment above

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1 PAUL CAROLLO

2 A They were always talking about sex. I 6:02:48PM  
3 don't believe half of it, because it would be  
4 pretty incredible.

5 Q Do you know the name of a person named 6:02:56PM  
6 Elyse Miller?

7 A Is she a short girl? 6:03:11PM

8 Q I don't know what she looks like. 6:03:13PM  
9 A I'm trying to think. The last name 6:03:16PM  
10 I'm not getting, but I think I've heard of the  
11 name Elyse.

12 Q Is that something that you heard from 6:03:24PM  
13 George Hesse? Did you hear him talk about her?

14 A I think it's someone around the town 6:03:29PM  
15 if I'm thinking of the right person. No, I  
16 don't think I ever heard -- if you're asking if  
17 I ever heard him or anybody saying sex with  
Elyse, no.

19 Q Did you ever hear anything about Frank 6:03:46PM  
20 Fiorillo having any kind of sexual encounter  
21 with anyone in Ocean Beach?

22 A No. 6:03:54PM

23 Q Did you ever hear George Hesse use the 6:04:07PM  
24 phrase "German sausage"?

25 MR. NOVIKOFF: In reference to what? 6:04:12PM  
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1 PAUL CAROLLO

2 the stores, right?

3 Q What do you know about the situation 6:06:34PM  
4 that you're referring to?

5 A Kids dropped the beer off of the 6:06:44PM  
6 balcony. I remember the whole thing.

7 Q Then the first sentence of 56, do you 6:06:50PM  
8 remember Hesse making any statements to that  
9 effect about Officer Snyder?

10 MR. NOVIKOFF: Objection. 6:06:58PM

11 A You know what, that's not the same 6:07:14PM  
12 situation.

13 Q I'm sorry, Officer Lamm. 6:07:16PM

14 A It's not the same situation, though, 6:07:18PM  
15 is it?

16 Q I'm sorry to be going backwards. 6:07:39PM  
17 Maybe the situation in 54, is that the one you  
18 were thinking of?

19 A Yeah. This is different. 6:07:46PM

20 MR. NOVIKOFF: Objection to that 6:07:50PM  
21 question. I don't know what you're asking.

22 BY MR. GRAFF: 6:07:52PM

23 Q Earlier, when you were referring to 6:07:53PM  
24 the youths in the apartment, is that --

25 A That's 53, yeah. 6:07:57PM  
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| 1 PAUL CAROLLO<br>2 Q 53 or 54? 53. Okay? 6:08:00PM<br>3 MR. NOVIKOFF: Note my objection to 6:08:04PM<br>4 this entire line. It's going back and forth<br>5 between different paragraphs which you<br>6 haven't even asked this witness to read.<br>7 BY MR. GRAFF: 6:08:11PM<br>8 Q If you could just take one minute to 6:08:12PM<br>9 read 53 and 54 together.<br>10 MR. NOVIKOFF: Don't you want to lay a 6:08:52PM<br>11 foundation as to whether this witness<br>12 personally witnessed any of the allegations<br>13 set forth in 53 and 56? Because you haven't<br>14 done that yet, and that's the basis of all<br>15 my objections.<br>16 MR. GRAFF: Okay. 6:09:05PM<br>17 A Okay. 6:09:44PM<br>18 Q A few minutes ago you indicated you 6:10:16PM<br>19 knew all about a situation. Is that a situation<br>20 alleged in 53, 54, 55 or 56?<br>21 MR. NOVIKOFF: Objection. 6:10:26PM<br>22 A I think it kind of runs on here a 6:10:27PM<br>23 little bit. I think the one I'm talking about<br>24 ends. Yeah, they're two separate situations.<br>25 Q Okay. Which is the situation if you 6:10:45PM<br><br>TSG Reporting - Worldwide (877) 702-9580                                  | 1 PAUL CAROLLO<br>2 could just describe in your own words?<br>3 MR. NOVIKOFF: Objection. 6:10:49PM<br>4 A The one in the apartment. 6:10:50PM<br>5 MR. NOVIKOFF: What was your question? 6:10:51PM<br>6 MR. GRAFF: I didn't want to cut 6:10:54PM<br>7 Mr. Carollo off.<br>8 BY MR. GRAFF: 6:10:56PM<br>9 Q Were you about to say something? 6:10:57PM<br>10 A The one where they threw something 6:10:59PM<br>11 over the balcony. The only thing, I don't<br>12 remember it being Snyder. I thought it was<br>13 Dyer. I know Kevin Lamm was there.<br>14 Q Okay. So you had heard about a 6:11:10PM<br>15 situation where youths threw something over an<br>16 apartment balcony and Kevin Lamm was present?<br>17 MR. NOVIKOFF: Objection. 6:11:17PM<br>18 A Yes. 6:11:20PM<br>19 Q And what's the basis for your 6:11:20PM<br>20 knowledge about that situation? How do you know<br>about that situation?<br>21 A I was there. 6:11:27PM<br>22 Q And what is it that you witnessed? 6:11:28PM<br>23 A I didn't witness -- I don't know if I 6:11:31PM<br>witnessed -- I remember those guys calling,<br><br>TSG Reporting - Worldwide (877) 702-9580                       |
| 1 PAUL CAROLLO<br>2 saying they got hit with something or something<br>3 to that effect.<br>4 Q Did you respond as a responding 6:11:38PM<br>5 officer at the scene of that event?<br>6 A Yes. 6:11:42PM<br>7 Q Could you describe what happened from 6:11:45PM<br>8 the time you arrived at that scene until you<br>9 left?<br>10 A I went up the stairs. Went upstairs. 6:11:52PM<br>11 The kids were up there. I'm trying to think. I<br>12 went into the apartment. I think that -- I<br>13 don't think they had -- I don't remember if I<br>14 found beer. I think I remember that they found<br>15 one drug paraphernalia thing. I don't remember<br>16 if it was a bong. They didn't find any drugs.<br>17 It was a bong or maybe a pipe.<br>18 Q Was that found when you went up? 6:12:33PM<br>19 A Yes, it was in the apartment. 6:12:35PM<br>20 Q Who went up with you? 6:12:37PM<br>21 A Obviously Kevin. I thought it was 6:12:41PM<br>22 Dyer, though. I guess George was there. I'm<br>23 trying to remember. George, Kevin.<br>24 You were there too, weren't you? 6:12:54PM<br>25 MR. NOVIKOFF: Let the record reflect 6:12:58PM<br><br>TSG Reporting - Worldwide (877) 702-9580 | 1 PAUL CAROLLO<br>2 the witness is referring to Mr. Fiorillo.<br>3 BY MR. GRAFF: 6:13:01PM<br>4 Q Since Mr. Fiorillo is not on the 6:13:03PM<br>record, he can't respond to questions.<br>5 A Sorry. I was thinking. We went 6:13:08PM<br>upstairs and went in the apartment. I don't<br>remember the alcohol. They were probably<br>drinking alcohol, but I don't think there was<br>much alcohol up there. They probably only had a<br>couple of cans. I don't remember that it was<br>actually beer that went over. I thought they<br>thought they spit on them or something now that<br>I'm thinking about it. This says that they<br>dropped beer on them. I think they thought they<br>spit on them.<br>17 Q Okay. Was anyone in that apartment 6:13:56PM<br>issued a summons?<br>19 A I don't think so. 6:14:04PM<br>20 Q Do you recall whether anyone attempted 6:14:06PM<br>to -- any of the officers attempted to issue a<br>summons to those individuals?<br>23 A I don't recall whether anyone tried 6:14:20PM<br>to. I would say once George was there, you have<br>your supervisor there, you're gonna follow his<br><br>TSG Reporting - Worldwide (877) 702-9580 |

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| 1 PAUL CAROLLO<br>2 direction.<br>3 Q Did George Hesse give any -- 6:14:27PM<br>4 A And I don't think any summonses were 6:14:29PM<br>5 issued.<br>6 Q Do you recall whether George Hesse 6:14:32PM<br>7 gave any direction with respect to whether<br>8 summonses should have been issued at that time?<br>9 A I would assume that whatever he 6:14:39PM<br>10 decided, you know. If he decided to issue<br>11 summonses, they would've been issued. And if he<br>12 decided not to, they wouldn't have been.<br>13 Q Did George Hesse say anything to you 6:14:48PM<br>14 about issuing or not issuing summonses at that<br>15 time to those individuals?<br>16 A No, I don't think so. Obviously, the 6:14:53PM<br>17 guys that were there would've issued the summons<br>18 if they decided to issue something.<br>19 Q Were you among the guys that were 6:15:00PM<br>20 there?<br>21 A No. I believe they called on the 6:15:02PM<br>22 radio. I don't remember how I ended up there.<br>23 I wasn't one of the ones standing underneath.<br>24 Maybe just up the block.<br>25 Q I'm talking about once you went 6:15:11PM<br><br>TSG Reporting - Worldwide (877) 702-9580 | Page 202<br>1 PAUL CAROLLO<br>2 upstairs and someone found drug paraphernalia,<br>3 were summons issued in connection with finding<br>4 of that drug paraphernalia?<br>5 A I don't think so. 6:15:24PM<br>6 Q Do you recall whether George Hesse 6:15:25PM<br>7 gave any direction with respect to whether<br>8 summonses should be issued in connection --<br>9 A I don't recall. I'm making an 6:15:31PM<br>10 assumption that that's how it would've went.<br>11 Q Do you recall whether George Hesse 6:15:41PM<br>12 said anything to the individuals in that<br>13 apartment about Kevin Lamm?<br>14 A No. 6:15:55PM<br>15 Q Do you recall whether George Hesse 6:15:57PM<br>16 stated that Officer Lamm was a loser?<br>17 A No. 6:16:04PM<br>18 Q Do you recall whether George Hesse 6:16:05PM<br>19 said to those youths -- I'm sorry, were they<br>20 youths in that apartment?<br>21 A Yes. 6:16:12PM<br>22 MR. CONNOLLY: Objection. 6:16:13PM<br>23 A What are we considering a youth? 6:16:13PM<br>24 Q Do you know how old any of those 6:16:15PM<br>25 individuals were?<br><br>TSG Reporting - Worldwide (877) 702-9580     |
| Page 204<br>1 PAUL CAROLLO<br>2 A If you're 21, you're this; if you're 6:16:18PM<br>3 18, you're that.<br>4 Q Do you know how old any of the people 6:16:23PM<br>5 in the apartment were?<br>6 A I don't recall how old they were. I 6:16:26PM<br>7 believe they were under age to be drinking, but<br>8 that would only make them under 21. Were they<br>9 18 or were they 15, that, I don't remember.<br>10 Q Do you recall whether George Hesse 6:16:36PM<br>11 said to those individuals that no one likes<br>12 Officer Lamm?<br>13 A No. 6:16:45PM<br>14 These look like two different 6:16:48PM<br>15 situations, though. You're telling me in 56,<br>16 where he -- that's where I think we had gotten<br>17 confused originally, right?<br>18 Q Without referring here, I'm just 6:17:02PM<br>19 asking your memory of what happened when you<br>20 went up the steps.<br>21 A No, I don't remember him saying 6:17:07PM<br>22 anything to that effect.<br>23 Q Do you know or do you remember what 6:17:10PM<br>24 was done with the drug paraphernalia found in<br>25 the apartment?<br><br>TSG Reporting - Worldwide (877) 702-9580                                  | Page 205<br>1 PAUL CAROLLO<br>2 A No. It was probably taken, but 6:17:16PM<br>3 that's, you know...<br>4 Q You don't know either way? 6:17:19PM<br>5 A When I read the thing, it came back to 6:17:21PM<br>6 me a little bit. The exact specifics, I don't<br>7 know in that sense. I couldn't even tell you if<br>8 it was either a bong or a pipe, and there is a<br>9 big difference between the two of them. I can't<br>10 remember which one it was.<br>11 Q If you could take a quick look at 6:17:50PM<br>12 Paragraph 58.<br>13 A (Witness complies.) Okay. I don't 6:17:53PM<br>14 remember that at all. I have no knowledge of<br>15 that.<br>16 Q I may have asked this earlier today. 6:18:18PM<br>17 Did you ever respond to a domestic disturbance<br>18 involving Lisa Campbell?<br>19 A No. No. That was a whole big thing 6:18:28PM<br>20 back and forth, right? I never responded to any<br>21 of that.<br>22 Q I'm not sure what you're referring to. 6:18:42PM<br>23 A You're asking me about Lisa Campbell. 6:18:44PM<br>24 Q Yes. 6:18:47PM<br>25 A Right. 6:18:49PM<br><br>TSG Reporting - Worldwide (877) 702-9580 |

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| <p style="text-align: center;">Page 206</p> <p>1 PAUL CAROLLO<br/>2 Q You weren't involved in any -- 6:18:50PM<br/>3 A I remember people talking about it, 6:18:52PM<br/>4 because he had an order of protection against<br/>5 her.<br/>6 Q Who had one? 6:18:56PM<br/>7 A Or she had one against the boyfriend. 6:18:58PM<br/>8 Q Do you recall the boyfriend's name? 6:19:00PM<br/>9 A No. 6:19:01PM<br/>10 Q If I said Frank Tutone, would it 6:19:02PM<br/>11 refresh your recollection?<br/>12 A Yeah, that was probably it. 6:19:06PM<br/>13 Q Do you recall whether -- I'm sorry, 6:19:08PM<br/>14 that was probably the name of her boyfriend?<br/>15 A Yeah. 6:19:13PM<br/>16 Q Do you recall who had the order of 6:19:14PM<br/>17 protection against who in that relationship?<br/>18 A I believe she had one against him. 6:19:24PM<br/>19 Q And do you recall -- I know you said 6:19:26PM<br/>20 it wasn't you who was involved. Do you recall<br/>21 which police officers were involved in it?<br/>22 A No. The recollection of the whole 6:19:32PM<br/>23 thing, I think it was something that went on for<br/>24 months or years. I don't think it was one<br/>25 incident in that situation.</p> <p>TSG Reporting - Worldwide (877) 702-9580</p>                                                    | <p style="text-align: center;">Page 207</p> <p>1 PAUL CAROLLO<br/>2 Q Are you aware of any other boyfriend 6:19:43PM<br/>3 or -- do you know anyone else who Lisa Campbell<br/>4 had a romantic relationship with other than<br/>5 Frank Tutone?<br/>6 A No. 6:20:00PM<br/>7 Q You don't have to refer specifically 6:20:03PM<br/>8 to the complaint, but there's an allegation<br/>9 about the Bosettis and a file cabinet in the<br/>10 Great South Bay. Do you know what I'm referring<br/>11 to?<br/>12 A I heard of that story. 6:20:14PM<br/>13 Q When did you hear about that story? 6:20:16PM<br/>14 A Maybe about after it even happened. 6:20:18PM<br/>15 Q What was it that you heard about that 6:20:19PM<br/>16 story?<br/>17 MR. NOVIKOFF: Objection. 6:20:22PM<br/>18 A They threw a file cabinet in the bay. 6:20:24PM<br/>19 Q Who told you about that incident? 6:20:26PM<br/>20 A I don't remember. May have been when 6:20:29PM<br/>21 I came on shift even. May have been everybody.<br/>22 Q Did you ever speak with either of the 6:20:34PM<br/>23 Bosettis about that incident?<br/>24 A I don't think so. 6:20:41PM<br/>25 Q After the plaintiffs were let go at 6:20:45PM</p> <p>TSG Reporting - Worldwide (877) 702-9580</p> |
| <p style="text-align: center;">Page 208</p> <p>1 PAUL CAROLLO<br/>2 the April meeting, did you ever have any<br/>3 discussions with George Hesse that included<br/>4 reference to any of the plaintiffs?<br/>5 A I guess so. I mean like you're 6:21:06PM<br/>6 getting back to the blog thing and whatnot.<br/>7 There was conversation about it all the time, I<br/>8 guess. We don't need to -- obviously, there was<br/>9 all this said. You know, they didn't like them,<br/>10 you know. I mean, it's not, you know...<br/>11 Q When you say they didn't like them? 6:21:23PM<br/>12 A Obviously all of the rumors, 6:21:25PM<br/>13 everything that transpired for him to really<br/>14 decide to want to let them go, obviously. Then<br/>15 this whole blog, who started the blog, whatever,<br/>16 there was all this back and forth crap.<br/>17 Q There's a whole section in the 6:21:45PM<br/>18 complaint, it starts at Paragraph 63, about a<br/>19 Halloween incident. Do you know what that<br/>20 refers to? Would you understand what I'm<br/>21 referring to?<br/>22 A Yeah, I heard about the Halloween 6:21:59PM<br/>23 incident, yeah.<br/>24 MR. NOVIKOFF: Ari, respectfully, I 6:22:05PM<br/>25 think we have established through no less</p> <p>TSG Reporting - Worldwide (877) 702-9580</p> | <p style="text-align: center;">Page 209</p> <p>1 PAUL CAROLLO<br/>2 than 15 depositions that this individual,<br/>3 this witness was not there. Had no part in<br/>4 the investigation. So anything you're going<br/>5 to be asking him about this Halloween<br/>6 incident is what he heard from some other<br/>7 people. If you want to ask him if Hesse<br/>8 asked him anything to him about the<br/>9 Halloween incident, that's perfect.<br/>10 MR. GRAFF: I think I'm going where 6:22:28PM<br/>11 you want.<br/>12 MR. NOVIKOFF: Fine. 6:22:31PM<br/>13 BY MR. GRAFF: 6:22:31PM<br/>14 Q Did you ever have any discussions with 6:22:31PM<br/>15 George Hesse about the Halloween incident?<br/>16 MR. CONNOLLY: Objection. 6:22:41PM<br/>17 A Yeah. When you say discussions, you 6:22:42PM<br/>18 mean he and I personally?<br/>19 Q Let's start with that. 6:22:46PM<br/>20 A I don't know if I had a personal 6:22:47PM<br/>21 conversation with him. Was I in a room where<br/>22 they were talking about it, yes.<br/>23 Q Who else was in the room? 6:22:53PM<br/>24 A I don't know. 6:22:54PM<br/>25 Q What did George Hesse say in reference 6:22:55PM</p> <p>TSG Reporting - Worldwide (877) 702-9580</p>                             |



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1 PAUL CAROLLO  
2 never heard him say, oh, because of Halloween,  
3 that's why he fired them. Were they pissed off  
4 about that? Obviously they went a different  
5 direction of what the officers of the night felt  
6 was what happened.

7 Q Other than putting aside the Halloween 6:28:13PM  
8 incident -- withdrawn.

9 (Whereupon, a discussion was held off 6:28:19PM  
10 the record.)

11 MR. GRAFF: This will be the next 6:33:46PM  
12 exhibit.

13 (Whereupon, Bates document 4431 was 6:33:48PM  
14 marked as Plaintiff's Exhibit 13 for  
15 identification, as of this date.)

16 BY MR. GRAFF: 6:33:48PM

17 Q Mr. Carollo, I'm not going to continue 6:35:31PM  
18 going through anything in the complaint. But  
19 I'd ask, now that we've gone through some of it,  
20 do you recall whether there were any other  
21 allegations that we haven't discussed that  
22 jumped out at you?

23 A No. 6:36:24PM

24 Q Okay. So let's put that aside. 6:36:24PM

25 A (Witness complies.) 6:36:29PM

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1 PAUL CAROLLO

2 Q Did George Hesse ever say anything 6:36:30PM  
3 that you heard in connection with employment  
4 references for the plaintiffs after they were  
5 terminated?

6 MR. NOVIKOFF: Objection. 6:36:37PM

7 MR. CONNOLLY: Objection. 6:36:40PM

8 A Ask the question again. 6:36:45PM

9 Q Let me ask it slightly differently. 6:36:47PM

10 Did George Hesse ever say anything to 6:36:49PM  
11 you or in your presence about plaintiffs' search  
12 for jobs after they were fired from Ocean Beach?

13 A I believe he had said one time that, I 6:37:01PM  
14 guess, they were looking for a job in  
15 Southampton.

16 Q And do you recall if he said who 6:37:07PM  
17 specifically was looking for a job there?

18 A No, I can't say which one 6:37:11PM  
19 specifically.

20 Q And what did he say? 6:37:14PM

21 A He got a call from Southampton. 6:37:16PM

22 Q Did he say anything else about the 6:37:19PM  
23 call?

24 A I guess not really. He was probably 6:37:30PM  
25 indicating, like anybody, if you let somebody

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1 PAUL CAROLLO  
2 go, you're not gonna give a good recommendation.  
3 I guess that's why you don't usually use your  
4 last employer as a recommendation. I don't  
5 remember any specific things. Obviously that he  
6 wasn't giving the greatest recommendation.

7 Q Do you recall in substance that he 6:37:52PM  
8 said he didn't give a positive recommendation?

9 A No. 6:37:56PM

10 MR. NOVIKOFF: Objection. 6:37:57PM

11 A It's more of an indication. I can't 6:37:59PM  
12 say specifically what it was that he said.

13 MR. NOVIKOFF: What was that last 6:38:05PM  
14 part?

15 THE WITNESS: I can't remember 6:38:07PM  
16 specifically --

17 MR. NOVIKOFF: She can read it. 6:38:18PM

18 (Whereupon, the requested portion was 6:38:19PM  
19 read back by the court reporter: It's more  
20 of an indication. I can't say specifically  
21 what it was that he said.)

22 BY MR. GRAFF: 6:38:19PM

23 Q Other than in connection with 6:38:21PM  
24 Southampton, were there any other times that  
25 George Hesse said anything about plaintiffs and

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1 PAUL CAROLLO

2 subsequent employment?

3 A No. 6:38:27PM

4 Q When was the most recent time that you 6:38:34PM  
5 spoke to any of the plaintiffs, other than  
6 today?

7 A I probably haven't spoken to them 6:38:46PM  
8 since probably '06.

9 Q And just to be clear for the record, 6:38:54PM  
10 Frank Fiorillo is present today. And I know you  
11 had exchanged hellos.

12 A Yeah. 6:39:03PM

13 Q Did you and Frank today discuss 6:39:03PM  
14 anything about your testimony?

15 A No. 6:39:06PM

16 Q When did you first find out that the 6:39:11PM  
17 plaintiffs had filed a lawsuit against Ocean  
18 Beach?

19 A I can only imagine that -- what's the 6:39:19PM  
20 date on it? I'm sure not too long after it was  
21 filed. As long as I was still working there.

22 Q And do you know who the source of your 6:39:32PM  
23 information about the lawsuit was at that time?

24 A No. 6:39:39PM

25 Q Did George Hesse ever say anything to 6:39:40PM  
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1 PAUL CAROLLO

2 you about this lawsuit?

3 MR. NOVIKOFF: Objection to the form. 6:39:50PM  
4 A Obviously, the thing's been in 6:39:53PM  
5 conversation. So I'm not sure what it is that  
6 you're -- I've certainly -- certainly the  
7 conversation has come up.

8 Q Do you recall anything that he said in 6:40:09PM  
9 conversation about the lawsuit?

10 A Specifics, no. Obviously, he's not 6:40:16PM  
11 happy about it. Thinks it's ridiculous, yes.

12 Q When was the last time you spoke to 6:40:21PM  
13 George Hesse, the most recent time?

14 A I tried to call him not that long ago. 6:40:43PM  
15 The conversation didn't go that well. I'd say  
16 December.

17 Q Is that the conversation that didn't 6:40:50PM  
18 go very well?

19 A No, December, I saw him. December of 6:40:52PM  
20 '08.

21 Q Did you speak to him in December '08? 6:40:55PM

22 A Briefly. It was actually a shift 6:41:00PM  
23 change. I was going in for training.

24 Q A shift change where? 6:41:05PM

25 A He was leaving, I was going in. 6:41:06PM

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1 PAUL CAROLLO

2 Q At what location? 6:41:08PM

3 A The parking lot. What's it called 6:41:10PM  
4 again? It's the parking lot at the lighthouse.

5 Q Was that when you were there for that 6:41:22PM  
6 one shift for training?

7 A Yes. 6:41:25PM

8 Q Did you ever discuss anything about 6:41:27PM  
9 any of the plaintiffs, anything, with Mayor

10 Loeffler?

11 A No. 6:41:36PM

12 Q What about with Mayor Rogers? 6:41:37PM

13 A No. 6:41:40PM

14 Q Do you know who Maryanne Minerva is? 6:41:41PM

15 A Yes. 6:41:43PM

16 Q Did you ever speak with her about any 6:41:44PM  
17 of the plaintiffs?

18 A No. 6:41:46PM

19 Q Earlier you had referred to a Gurden. 6:41:53PM

20 A Yeah. 6:42:00PM

21 Q Who's the person you're referring to? 6:42:00PM

22 A Dave Gurden. 6:42:02PM

23 Q When did you first meet Dave Gurden? 6:42:03PM

24 A The first year -- I don't know. Must 6:42:11PM  
25 have been -- well, he was there in 2005. I

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1 PAUL CAROLLO

2 don't think he was there my first year. So it  
3 was probably 2005.

4 Q And was he still working there in 6:42:22PM  
5 March 2007?

6 A No. 6:42:26PM

7 Q Did you ever work on the same shift as 6:42:26PM  
8 Dave Gurden?

9 A Yes. 6:42:30PM

10 Q Do you know why Dave Gurden stopped 6:42:32PM  
11 working in Ocean Beach?

12 MR. NOVIKOFF: Objection. 6:42:35PM

13 A He was fired. 6:42:37PM

14 Q Who told you that he was fired? 6:42:39PM

15 MR. CONNOLLY: Objection. 6:42:45PM

16 A I don't know. 6:42:48PM

17 Q Did you ever discuss Dave Gurden's 6:42:49PM  
18 being fired with George Hesse?

19 A I'm sure the conversation's come up. 6:43:10PM

20 MR. NOVIKOFF: Wasn't Gurden fired 6:43:12PM  
21 after April 2006? Why is this relevant?

22 BY MR. GRAFF: 6:43:18PM

23 Q Did George Hesse indicate or 6:43:20PM  
24 communicate to you any reason why Dave Gurden  
25 was fired?

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1 PAUL CAROLLO

2 A Because he was photocopying paperwork. 6:43:26PM

3 Q Do you know what paperwork he was 6:43:28PM  
4 fired for copying?

5 A It might have been this. I'm not 6:43:41PM  
6 200 percent sure of it. This case. I'm not  
7 really -- I'm not 100 percent sure of this. I  
8 think it was stuff like this, though. It was  
9 another lawsuit or this lawsuit.

10 Q I don't understand that. He was fired 6:44:02PM  
11 for copying paperwork in connection with this  
12 lawsuit that you're testifying in?

13 MR. CONNOLLY: Are you asking? 6:44:12PM

14 BY MR. GRAFF: 6:44:12PM

15 Q I'm asking if that's your 6:44:14PM  
16 understanding.

17 MR. NOVIKOFF: He said maybe. 6:44:15PM  
18 Objection.

19 A Yeah. He was fired for photocopying 6:44:17PM  
20 something off of George's desk.

21 Q Do you know who fired him? 6:44:24PM

22 A George. 6:44:25PM

23 Q Did George tell you that he fired Dave 6:44:26PM  
24 Gurden?

25 A Personally? 6:44:30PM

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|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 PAUL CAROLLO<br>2 Q Yes. 6:44:31PM<br>3 A I don't recall. 6:44:32PM<br>4 Q Other than the plaintiffs and 6:44:37PM<br>5 Mr. Gurden, have any other police officers been<br>6 fired at Ocean Beach during the course of your<br>7 employment there, as far as you know?<br>8 MR. NOVIKOFF: Objection. 6:44:49PM<br>9 A No. 6:44:52PM<br>10 Q Prior to the time when Dave Gurden was 6:44:55PM<br>11 fired, had anyone ever told you that<br>12 photocopying things without authorization would<br>13 be grounds for termination?<br>14 MR. NOVIKOFF: Objection. 6:45:08PM<br>15 A I believe that one of the other 6:45:13PM<br>16 officers saw Dave photocopy it and put the copy<br>17 in his bag.<br>18 Q What officer do you believe saw that? 6:45:22PM<br>19 A Embry. 6:45:26PM<br>20 Q And what's the basis for your belief 6:45:27PM<br>21 that he observed that?<br>22 A That's how I heard the story. 6:45:32PM<br>23 Q You heard it from Officer Embry? 6:45:34PM<br>24 A I don't know if the first time I heard 6:45:42PM<br>25 it was from him. I can't say. I don't think I                                                                                    | Page 222<br><br>1 PAUL CAROLLO<br>2 heard the original thing what happened from him.<br>3 But later on did he say something? It's<br>4 possible.<br>5 Q Did George Hesse ever say to you that 6:45:54PM<br>6 the documents that Gurden allegedly copied had<br>7 something to do with some lawsuit?<br>8 A I don't know if it was George that 6:46:08PM<br>9 said it or someone else.<br>10 Q If it was someone else, would it be a 6:46:14PM<br>11 specific person that you have in mind or you're<br>12 you just not sure?<br>13 MR. NOVIKOFF: Objection. 6:46:19PM<br>14 MR. CONNOLLY: Objection. 6:46:21PM<br>15 A I'm not sure. 6:46:23PM<br>16 Q Did you ever speak with Officer -- 6:46:24PM<br>17 Mr. Gurden after he was fired?<br>18 A No. 6:46:30PM<br>19 Q I asked the court reporter what will 6:46:45PM<br>20 be the last exhibit today, Carollo Exhibit 13.<br>21 It's a one-page document bearing Bates Number<br>4431. (Handing.)<br>22 Actually, before I turn to this 6:46:57PM<br>document, Mr. Carollo, if I could just backtrack<br>for one second.<br>TSG Reporting - Worldwide (877) 702-9580                                 |
| Page 224<br><br>1 PAUL CAROLLO<br>2 Had you ever heard George Hesse 6:47:11PM<br>3 express any kind of dissatisfaction or problem<br>4 with Dave Gurden prior to the incident that led<br>5 to his termination?<br>6 MR. NOVIKOFF: Objection. 6:47:24PM<br>7 MR. CONNOLLY: Objection. 6:47:25PM<br>8 A Yeah. There was some things that I 6:47:31PM<br>9 don't think he liked the way he was starting to<br>10 operate.<br>11 Q Can you elaborate on that at all? 6:47:37PM<br>12 MR. NOVIKOFF: Is there something 6:47:41PM<br>13 relevant to Gurden being terminated, other<br>14 than it's part of a D.A. investigation?<br>15 A I think Dave was just a loudmouth. 6:48:05PM<br>16 Q Did George Hesse express or 6:48:11PM<br>17 communicate to you --<br>18 A No, not personally. 6:48:15PM<br>19 Q Do you know if anyone else in the 6:48:17PM<br>20 department ever had problems with Dave Gurden<br>21 that they communicated to -- did anyone else<br>22 ever tell that you they had problems with Dave<br>23 Gurden before he was terminated?<br>24 A No. 6:48:30PM<br>25 Q Do you have any reason at all to 6:48:33PM<br>TSG Reporting - Worldwide (877) 702-9580 | Page 225<br><br>1 PAUL CAROLLO<br>2 believe that Dave Gurden was not a good cop up<br>3 until the incident that led to him being<br>4 terminated?<br>5 MR. NOVIKOFF: Objection. 6:48:42PM<br>6 MR. CONNOLLY: Objection. 6:48:43PM<br>7 A No. 6:48:43PM<br>8 Q What's been marked as Carollo 6:48:44PM<br>9 Exhibit 13, do you recognize that document?<br>10 Please take a moment to read it.<br>11 A I did. Yeah. I forgot about it. I 6:48:57PM<br>12 don't know where it is, but yes.<br>13 Q Is this a letter that you received? 6:49:03PM<br>14 A I believe so, yeah. 6:49:06PM<br>15 Q Earlier you had mentioned that it was 6:49:09PM<br>16 your understanding that you need to work at<br>17 least one shift to maintain your status. Is<br>18 this letter the source of --<br>19 A Yes. Well, I may have known that 6:49:21PM<br>20 beforehand.<br>21 Q Were you at some point put on modified 6:49:31PM<br>22 duty as a police officer at Ocean Beach?<br>23 A I don't know what I was classified as. 6:49:40PM<br>24 I wasn't working.<br>25 Q The very last sentence of this letter 6:49:45PM<br>TSG Reporting - Worldwide (877) 702-9580 |

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1           **PAUL CAROLLO**  
2       states, "Upon the successful completion of court  
3       actions, we would like to reinstate you to your  
4       previous assignment."  
5       **Do you know what the court actions 6:49:55PM**  
6       being referred to here are?  
7       A   The criminal case.                           6:50:00PM  
8       **Q   And has that been completed, as far as 6:50:03PM**  
9       you know?  
10      A   Yes.                                           6:50:06PM  
11      **Q   Did you at any point seek 6:50:07PM**  
12      reinstatement to your previous assignment at  
13      Ocean Beach?  
14      A   Say that again. I wasn't asked back. 6:50:15PM  
15      MR. CONNOLLY: That wasn't the                 6:50:20PM  
16      question.  
17      BY MR. GRAFF:                                   6:50:21PM  
18      **Q   Did you ever ask to come back? 6:50:22PM**  
19      MR. CONNOLLY: You had a pending                 6:50:26PM  
20      question, Ari. Let him answer that question  
21      and go into the next.  
22      MR. GRAFF: I'm sorry, could you read 6:50:33PM  
23      back the pending question.  
24      (Whereupon, the requested portion was 6:50:37PM  
25      read back by the court reporter: Did you at  
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1           **PAUL CAROLLO**  
2       the charges were dismissed? Literally, that  
3       question could take two hours.  
4       MR. GRAFF: Very briefly.                       6:52:05PM  
5       MR. NOVIKOFF: What does that mean? 6:52:09PM  
6       Do you want him to go through the incident  
7       that night, the events after the incident  
8       that night, his conversation with the D.A.?  
9       What testimony he gave at court?  
10      MR. GRAFF: I don't want to go through 6:52:20PM  
11      everything in painful detail.  
12      BY MR. GRAFF:                                   6:52:23PM  
13      **Q   Did you testify at a criminal trial in 6:52:24PM**  
14      connection with Ocean Beach?  
15      A   Yes.                                           6:52:28PM  
16      **Q   Who were the defendants at this time? 6:52:31PM**  
17      MR. NOVIKOFF: I think we can 6:52:33PM  
18      stipulate who the defendants are.  
19      A   Hesse and Hardman.                        6:52:38PM  
20      **Q   Briefly, what was the substance of 6:52:43PM**  
21      your testimony?  
22      MR. NOVIKOFF: Note my objection. I 6:52:46PM  
23      think not only is the form of the question  
24      objectionable, I'm going on the record that  
25      this is now palpably irrelevant to any of  
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1           **PAUL CAROLLO**  
2       any point seek reinstatement to your  
3       previous assignment at Ocean Beach?)  
4       A   I had been indicated and told, just 6:50:56PM  
5       even with trying to get an attorney for this,  
6       that I'm not an employee.  
7       **Q   Did you ever ask anyone if you could 6:51:03PM**  
8       get your old position back?  
9       A   It was pretty much indicated to me 6:51:08PM  
10      that I was not welcome back.  
11      **Q   Who indicated that to you? 6:51:12PM**  
12      A   Just the gist of things.                   6:51:14PM  
13      **Q   Was there any person who was the 6:51:16PM**  
14      source of your information on what you  
15      characterized as the gist?  
16      A   I think the 20 guys that were staring 6:51:21PM  
17      me down through the court case.  
18      **Q   I know this was an issue that you were 6:51:33PM**  
19      uncomfortable with. I don't want to ask a whole  
20      lot of questions about it. Could you describe  
21      what your involvement in that court case was?  
22      MR. NOVIKOFF: Wait a minute. You're 6:51:43PM  
23      going to ask him now at 6:50 p.m. what his  
24      involvement was with the Gilbert case, a  
25      case in which he was indicted for and which  
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1           **PAUL CAROLLO**  
2       the issues in this lawsuit. I cannot  
3       instruct this witness not to answer the  
4       question. If he was my witness, I would,  
5       but I can't instruct him not to answer.  
6       MR. GRAFF: Because you don't               6:53:12PM  
7       represent the witness?  
8       MR. NOVIKOFF: Exactly.                       6:53:14PM  
9       MR. GRAFF: You represent the Ocean 6:53:15PM  
10      Beach defendants except for George Hesse?  
11      MR. NOVIKOFF: Right. So I can't 6:53:19PM  
12      instruct the witness not to answer a  
13      question.  
14      THE WITNESS: Do you want to call the 6:53:35PM  
15      judge again?  
16      BY MR. GRAFF:                                   6:53:37PM  
17      **Q   There was information that was not 6:53:37PM**  
18      clear to me until you indicated to the judge  
19      earlier today that you did not take a guilty  
20      plea. Is that the case? That is, did you take  
21      a guilty plea, plead guilty?  
22      A   No. This is all easy information you 6:53:54PM  
23      guys could find out.  
24      MR. NOVIKOFF: This is all public 6:53:58PM  
25      information, Ari. There's no secret here  
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| 1                   PAUL CAROLLO<br>2 with regard to what took place. There's<br>3 trial transcripts. I mean to ask this<br>4 witness to go through what he may or may not<br>5 have pled to, what the disposition of his<br>6 indictment was, what he testified to, I<br>7 mean, I don't get it. I hate to be<br>8 obstructionist. I try not to be. But we<br>9 know what happened. There were allegations<br>10 of beating of Mr. Gilbert by one or more<br>11 police officers. They were indicted. Two<br>12 of them went to trial. One of them I think<br>13 pled and one of them we found discontinued.<br>14 The jury came back with a complete<br>15 acquittal. There was a civil trial.<br>16 According to Newsday, that settled. Again,<br>17 we can do this for an hour, if you want.<br>18 I'm not trying to be an asshole here. What<br>19 do you need to get from this witness that<br>20 you can't get from what's already out there<br>21 in the public? That's really what it comes<br>22 down to.<br>23                   MR. GRAFF: I don't want to harass the<br>24 witness, and I don't want to prolong this.<br>25<br><p>TSG Reporting - Worldwide (877) 702-9580</p> | 1                   PAUL CAROLLO<br>2 BY MR. GRAFF: 6:55:08PM<br>3 <b>Q</b> Other than that criminal case, were 6:55:08PM<br>4 you personally involved in any way in any other<br>5 allegations against George Hesse involving<br>6 claims of brutality?<br>7                   A You gotta ask me that question again. 6:55:24PM<br>8                   MR. NOVIKOFF: Other than what may 6:55:27PM<br>9 have been alleged against you with regard to<br>10 the Samuel Gilbert incident, were any<br>11 allegations ever made against you in any<br>12 other complaint concerning police brutality<br>13 at Ocean Beach?<br>14                   THE WITNESS: No. 6:55:42PM<br>15 BY MR. GRAFF: 6:55:42PM<br>16 <b>Q</b> Were you ever a witness to any other 6:55:44PM<br>17 events that, as far as you know, are the basis<br>18 for allegations of police brutality against<br>19 Ocean Beach?<br>20                   A No. 6:55:52PM<br>21 <b>Q</b> Did George Hesse ever say anything to 6:55:52PM<br>22 you involving or concerning any allegations of<br>23 police brutality made against him, other than<br>24 this criminal case?<br>25                   A Repeat that question. 6:56:05PM<br><p>TSG Reporting - Worldwide (877) 702-9580</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 1<br>2<br>3<br>4<br>5<br>6<br>7<br>8<br>9<br>10<br>11<br>12<br>13<br>14<br>15<br>16<br>17<br>18<br>19<br>20<br>21<br>22<br>23<br>24<br>25<br><p>TSG Reporting - Worldwide (877) 702-9580</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Page 232<br><p>PAUL CAROLLO<br/><b>Q</b> Other than the case that you were 6:56:06PM<br/>involved in in 2007, did George Hesse ever say<br/>anything to you about any other police brutality<br/>cases that he was involved in?<br/>A No. 6:56:16PM<br/>MR. CONNOLLY: Objection to the form. 6:56:16PM<br/>BY MR. GRAFF: 6:56:17PM<br/><b>Q</b> As far as you know, has George Hesse 6:56:23PM<br/>been involved in any other police brutality<br/>cases?<br/>MR. NOVIKOFF: Note my objection. 6:56:29PM<br/>MR. CONNOLLY: Objection. 6:56:31PM<br/>MR. NOVIKOFF: Again, the problem with 6:56:35PM<br/>that question is if this witness personally<br/>witnessed, and he's already answered that he<br/>hasn't, then he can answer your question.<br/>If it's not based upon personal knowledge,<br/>then it's based upon some hearsay or some<br/>third parties, and I think you've already<br/>asked that question as well. That's the<br/>basis of my objection.<br/>MR. CONNOLLY: You're making reference 6:56:59PM<br/>to cases. So I'm assuming that's lawsuits?<br/><p>TSG Reporting - Worldwide (877) 702-9580</p></p>                                                                                                                           | Page 233<br><p>PAUL CAROLLO<br/>BY MR. GRAFF: 6:57:02PM<br/><b>Q</b> As far as you know, have there been 6:57:04PM<br/>other lawsuits in which George Hesse was named<br/>as a defendant that related to allegations of<br/>police brutality?<br/>A I don't know what any cases are really 6:57:12PM<br/>related to.<br/>MR. GRAFF: Let me take a brief 6:57:27PM<br/>moment.<br/>MR. NOVIKOFF: Sure. 6:57:30PM<br/>MR. CONNOLLY: Great. 6:57:32PM<br/>(Whereupon, a discussion was held off 6:57:33PM<br/>the record.)<br/>BY MR. GRAFF: 6:57:33PM<br/><b>Q</b> Are you aware of any lawsuit at Ocean 6:59:03PM<br/>Beach at which Jesse Prisco was a plaintiff?<br/>A Jesse Prisco? I believe -- is that 6:59:12PM<br/>the name of the -- there's one other case on<br/>there, right? Two cases? You're asking me<br/>questions I don't really know answers to. I'm<br/>guessing.<br/>MR. CONNOLLY: Don't guess. 6:59:30PM<br/>BY MR. GRAFF: 6:59:30PM<br/><b>Q</b> Did you respond at the scene as a 6:59:33PM<br/><p>TSG Reporting - Worldwide (877) 702-9580</p></p> |

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1           **PAUL CAROLLO**  
2    **responding officer in connection with anything**  
3    **that gave rise to a lawsuit by Jesse Prisco that**  
4    **you're aware of?**  
5    A That's the lawyer case?                 6:59:45PM  
6    Q **I believe Mr. Prisco is a lawyer.**    6:59:49PM  
7    A I'm going to have to ask you if you're 6:59:54PM  
8    telling me there's a suit.  
9    Q **Did you -- do you know who Jesse**    7:00:00PM  
10   **Prisco is?**  
11   A I think so.                              7:00:04PM  
12   Q **Did you respond to the scene of an**    7:00:06PM  
13   **incident involving Jesse Prisco at which Frank**  
14   **Fiorillo was also present?**  
15   A Yes. Actually, I don't really recall 7:00:15PM  
16   whether Frank was there or not.  
17   Q **What do you recall of your involvement** 7:00:21PM  
18   **in that incident?**  
19   A My involvement? We responded to a 7:00:30PM  
20   noise complaint.  
21   Q **At a residence in Ocean Beach?**    7:00:36PM  
22   A Yes.                                      7:00:38PM  
23   Q **At the time that you responded, had** 7:00:39PM  
24   **Mr. Prisco been arrested?**  
25   A No. He was arrested afterwards.    7:00:46PM  
  
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1           **PAUL CAROLLO**  
2    **Was Mr. Prisco, based on your**          7:00:48PM  
3    **observation, injured at the time that you**  
4    **responded?**  
5    A I don't know if he was -- George broke 7:00:59PM  
6    his finger. And Prisco, I don't remember if he  
7    had an injury or not.  
8    Q **George broke George's finger?**        7:01:07PM  
9    A Pinkie.                                    7:01:09PM  
10   Q **Did George Hesse say anything to you** 7:01:09PM  
11   **about how he broke his finger?**  
12   A Arresting Prisco.                        7:01:14PM  
13   Q **How did he come to break his -- did he** 7:01:15PM  
14   **explain how he came to break his finger in the**  
15   **course of arresting Prisco?**  
16   A No. Obviously, in arresting, you 7:01:23PM  
17   know, I guess he didn't just put his hands  
18   behind his back.  
19   Q **Did George Hesse say anything to you** 7:01:33PM  
20   **about the details of what happened between the**  
21   **time that he arrived at the scene and he broke**  
22   **his finger?**  
23   A I don't understand the question.    7:01:47PM  
24   Obviously, they got into a fight to arrest him.  
25   I don't know what Prisco's injuries are. I  
  
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1           **PAUL CAROLLO**  
2    don't know for sure that there's a lawsuit.  
3    MR. NOVIKOFF: Did he witness any 7:01:59PM  
4    physical altercation between George Hesse  
5    and Prisco?  
6    BY MR. GRAFF:                              7:02:03PM  
7    Q **Did you witness a physical altercation** 7:02:04PM  
8    **between the two of them?**  
9    A Yeah, they arrested him.                7:02:07PM  
10   Q **Were you there when there was that** 7:02:09PM  
11   **physical altercation?**  
12   A Yes.                                      7:02:12PM  
13   Q **What did you witness?**                7:02:12PM  
14   A Prisco resisting and George and Arnie 7:02:14PM  
15   handcuffing him.  
16   Q **When you arrived at the scene, where** 7:02:18PM  
17   **was Mr. Prisco?**  
18   A In his house.                            7:02:21PM  
19   Q **Inside of his house?**                7:02:22PM  
20   A Yes.                                      7:02:23PM  
21   Q **Was George Hesse already present at** 7:02:24PM  
22   **the scene at that time?**  
23   A Was George already present? No.    7:02:32PM  
24   Q **Was any officer present when you** 7:02:37PM  
25   **arrived?**  
  
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1           **PAUL CAROLLO**  
2    A No.                                      7:02:42PM  
3    Q **Why did you respond --**            7:02:42PM  
4    A Noise complaint.                        7:02:45PM  
5    Q **Do you know who made that complaint?** 7:02:47PM  
6    A No.                                      7:02:50PM  
7    Q **When you got there, what was the first** 7:02:50PM  
8    **thing you did?**  
9    MR. NOVIKOFF: Are we trying the 7:02:55PM  
10   Prisco case now?  
11   MR. GRAFF: No.                            7:02:59PM  
12   MR. NOVIKOFF: I understand why you 7:03:00PM  
13   would want to discuss the Prisco case. I  
14   don't think it's relevant. But this witness  
15   has already indicated that he witnessed  
16   George Hesse and I guess Mr. Hardman trying  
17   to arrest him, and the other person --  
18   MR. GRAFF: Right. I just want to get 7:03:15PM  
19   the events that led up to the physical  
20   altercation.  
21   MR. NOVIKOFF: For what purpose?    7:03:19PM  
22   Fine. I'm sorry.  
23   BY MR. GRAFF:                            7:03:24PM  
24   Q **After you arrived at the scene, what** 7:03:26PM  
25   **did you do?**  
  
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| <p style="text-align: right;">Page 238</p> <p>1           <b>PAUL CAROLLO</b></p> <p>2     A   Called -- first off, is there a      7:03:31PM</p> <p>3     lawsuit?</p> <p>4     MR. NOVIKOFF: Yeah, there is a      7:03:37PM</p> <p>5     lawsuit. And I don't know if criminal</p> <p>6     charges have been filed either.</p> <p>7     MR. GRAFF: Has Newsday reported that   7:03:42PM</p> <p>8     that's been resolved?</p> <p>9     MR. NOVIKOFF: Newsday isn't the      7:03:45PM</p> <p>10    beacon of all information. You're asking</p> <p>11    this witness to testify about a lawsuit.</p> <p>12    MR. GRAFF: No, I'm not asking him    7:03:51PM</p> <p>13    about the lawsuit.</p> <p>14    MR. NOVIKOFF: There's a lawsuit      7:03:53PM</p> <p>15    involving the village and Prisco. Now</p> <p>16    you're asking him questions that are germane</p> <p>17    to another lawsuit that this witness can or</p> <p>18    cannot be brought into, civilly, perhaps. I</p> <p>19    don't know.</p> <p>20    MR. GRAFF: Ken, I'm going to ask you   7:04:05PM</p> <p>21    to please stop commenting on this.</p> <p>22    MR. NOVIKOFF: All right. I don't    7:04:11PM</p> <p>23    know if there's been any criminal charges</p> <p>24    filed.</p> <p style="text-align: center;">TSG Reporting - Worldwide (877) 702-9580</p>                                                                                                                                                                                                                                 | <p style="text-align: right;">Page 239</p> <p>1           <b>PAUL CAROLLO</b></p> <p>2     BY MR. GRAFF:                           7:04:15PM</p> <p>3     <b>Q   When you arrived at the scene, what's 7:04:17PM</b></p> <p>4     <b>the first thing --</b></p> <p>5     A   Am I supposed to stick to what it is   7:04:20PM</p> <p>6     we're here for now?</p> <p>7     <b>Q   Can you answer?                   7:04:28PM</b></p> <p>8     A   If we're going to go into a whole    7:04:30PM</p> <p>9     other thing. You're going into a whole other</p> <p>10    case.</p> <p>11    <b>Q   I don't think we're taking a long 7:04:37PM</b></p> <p>12    <b>detour into the other case. I just want to know</b></p> <p>13    <b>what happened when you got there through the</b></p> <p>14    <b>conclusion of the physical altercation that you</b></p> <p>15    <b>witnessed.</b></p> <p>16    MR. NOVIKOFF: That could be an hour   7:04:49PM</p> <p>17    on a matter in which this witness has told</p> <p>18    you what he saw involving George Hesse. I</p> <p>19    get why you'd want to ask him about George</p> <p>20    Hesse, but now you're asking him what his</p> <p>21    involvement was from the beginning of his</p> <p>22    time there to when Hesse showed up. That I</p> <p>23    don't quite understand.</p> <p>24    BY MR. GRAFF:                           7:05:07PM</p> <p>25     <b>Q   Did you speak to Mr. Prisco before 7:05:08PM</b></p> <p style="text-align: center;">TSG Reporting - Worldwide (877) 702-9580</p> |
| <p style="text-align: right;">Page 240</p> <p>1           <b>PAUL CAROLLO</b></p> <p>2     <b>George Hesse arrived?</b></p> <p>3     A   No.                                  7:05:13PM</p> <p>4     <b>Q   Who was the first person to arrive 7:05:19PM</b></p> <p>5     <b>after you arrived?</b></p> <p>6     A   George.                               7:05:23PM</p> <p>7     <b>Q   Did you --                          7:05:24PM</b></p> <p>8     A   George and Arnold Hardman.      7:05:27PM</p> <p>9     <b>Q   Did they arrive together?        7:05:30PM</b></p> <p>10    A   Yes.                                  7:05:31PM</p> <p>11    <b>Q   Was George your supervisor at that 7:05:31PM</b></p> <p>12    <b>time?</b></p> <p>13    A   Yes.                                  7:05:34PM</p> <p>14    <b>Q   And what did George do when he got 7:05:35PM</b></p> <p>15    <b>there?</b></p> <p>16    A   The house was a noise complaint. As 7:05:50PM</p> <p>17    soon as we knocked on the door, all the lights</p> <p>18    went out and we heard people running all over</p> <p>19    the place. I called for assistance, George</p> <p>20    came, knocked on the door. They came to the</p> <p>21    door. They wouldn't open the door. He was</p> <p>22    pushing on the door. They were -- to get in.</p> <p>23    And they were pushing against it, screaming</p> <p>24    Fourth Amendment. And then he finally got</p> <p>25    inside, and then Jesse got -- there were two</p> <p style="text-align: center;">TSG Reporting - Worldwide (877) 702-9580</p> | <p style="text-align: right;">Page 241</p> <p>1           <b>PAUL CAROLLO</b></p> <p>2     guys. I don't know who's who. They came out.</p> <p>3     The guy was, I don't know -- he was screaming</p> <p>4     Fourth Amendment. George and Arnie went down --</p> <p>5     he was trying to arrest him. The guy's like a</p> <p>6     bodybuilder. And they got tangled trying to</p> <p>7     handcuff him to arrest him.</p> <p>8     <b>Q   Did that altercation happen inside the 7:06:50PM</b></p> <p>9     <b>house?</b></p> <p>10    A   Outside.                            7:06:52PM</p> <p>11    <b>Q   Where were you standing when you 7:06:54PM</b></p> <p>12    <b>observed that?</b></p> <p>13    A   There was a group of people trying to 7:06:58PM</p> <p>14    get in the middle of it. I actually had my back</p> <p>15    to most of it because there were three or four</p> <p>16    people that were trying to get into the middle</p> <p>17    of the whole thing.</p> <p>18    <b>Q   Three or four people that had been 7:07:09PM</b></p> <p>19    <b>inside the house?</b></p> <p>20    A   They were outside.                 7:07:12PM</p> <p>21    <b>Q   I understand George was pushing on the 7:07:14PM</b></p> <p>22    <b>door. How did the people come to be outside the</b></p> <p>23    <b>house?</b></p> <p>24    MR. CONNOLLY: Objection.             7:07:23PM</p> <p>25    MR. NOVIKOFF: How did the people come 7:07:24PM</p> <p style="text-align: center;">TSG Reporting - Worldwide (877) 702-9580</p>          |

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| 1 PAUL CAROLLO<br>2 to be outside the house when this witness<br>3 was inside the house?<br>4 BY MR. GRAFF: 7:07:28PM<br>5 Q Were you outside the house? 7:07:29PM<br>6 A He eventually got in the house, yeah. 7:07:31PM<br>7 Q Where were you when you saw George got 7:07:31PM<br>in the house?<br>8 A Outside. 7:07:33PM<br>9 Q And did you see Mr. Prisco exit the 7:07:35PM<br>house?<br>10 A No. 7:07:43PM<br>11 Q At what point did you become aware 7:07:47PM<br>that Mr. Prisco was no longer in the house?<br>12 A I guess when they were all outside. 7:07:53PM<br>13 MR. NOVIKOFF: This is your version of 7:07:55PM<br>a short detour? I suggest it's now 7:15,<br>14 that when you're done with your questioning,<br>15 you haven't eaten since 12, nor have I, that<br>16 we take a 45 minute dinner break and we<br>17 reconvene at 8:00. Because I'm not going<br>18 to -- this is ridiculous. Continue. Take<br>19 as much time as you want.<br>20 BY MR. GRAFF: 7:08:21PM<br>21 Q At what point did you become aware 7:08:26PM<br>TSG Reporting - Worldwide (877) 702-9580 | 1 PAUL CAROLLO<br>2 that he was outside of the house?<br>3 A We're outside, they're all outside. 7:08:32PM<br>4 Q But you didn't see him leave the 7:08:34PM<br>house?<br>5 MR. NOVIKOFF: Objection. Form. 7:08:40PM<br>6 A I can't say exactly at what point he 7:08:43PM<br>came out of the house.<br>7 Q In your experience as a police 7:08:47PM<br>officer, based on your observations, did any<br>8 police officers behave, in your opinion,<br>9 inappropriately in that situation?<br>10 MR. NOVIKOFF: Objection. 7:08:59PM<br>11 A No, I don't think so. It was chaotic. 7:09:02PM<br>12 It was chaotic.<br>13 MR. GRAFF: I think I'm done. And I 7:09:14PM<br>14 thank you for your time and your patience<br>15 with the questions today.<br>16 EXAMINATION 7:09:21PM<br>17 BY MR. CONNOLLY: 7:09:28PM<br>18 Q Mr. Carollo, earlier, I believe you 7:09:31PM<br>indicated that you hadn't spoken to any of the<br>19 plaintiffs since 2006; would that be correct?<br>20 A I believe so. 7:09:39PM<br>21 Q And would that be since April of 2006? 7:09:42PM<br>TSG Reporting - Worldwide (877) 702-9580 |
| 1 PAUL CAROLLO<br>2 A Yeah. 7:09:54PM<br>3 Q So it would be fair to say that you 7:09:55PM<br>4 hadn't spoken to any of the plaintiffs since the<br>5 meeting of April 2nd -- April 4th, 2006? The<br>6 annual meeting that occurred in April 2006?<br>7 A Yeah. 7:10:15PM<br>8 Q Earlier, you indicated that an 7:10:32PM<br>9 attorney you had consulted within regard to this<br>10 deposition had provided you with a complaint; is<br>11 that correct?<br>12 A Yes. 7:10:41PM<br>13 Q Did that attorney ever tell you how 7:10:41PM<br>14 they obtained the complaint?<br>15 A I believe he got it off of the 7:10:46PM<br>16 CourtNet type thing. I don't know.<br>17 Q I want to draw your attention to the 7:10:58PM<br>18 allegations contained in the complaint,<br>19 paragraphs 53 through, I believe 56. That was<br>20 the incident that you responded to regarding an<br>21 apartment?<br>22 A Say that again. 7:11:21PM<br>23 Q If you could make reference to the 7:11:22PM<br>24 complaint.<br>25 A Okay. 7:11:30PM<br>TSG Reporting - Worldwide (877) 702-9580              | 1 PAUL CAROLLO<br>2 Q And I believe earlier you indicated 7:11:35PM<br>3 there were youths in the apartment?<br>4 A Yes. 7:11:39PM<br>5 Q Did anybody ask for identification of 7:11:39PM<br>6 the youths in the apartment?<br>7 A I don't remember. 7:11:45PM<br>8 Q Did any of the youths present in the 7:11:52PM<br>9 apartment acknowledge ownership of the drug<br>10 paraphernalia?<br>11 A Probably not. I don't remember. 7:12:06PM<br>12 MR. CONNOLLY: No further questions. 7:12:16PM<br>13 Thank you.<br>14 EXAMINATION 7:12:17PM<br>15 BY MR. NOVIKOFF: 7:12:30PM<br>16 Q You talked about Southampton. Did 7:12:38PM<br>17 George Hesse ever tell you in words that he gave<br>18 the person who was applying for a job a bad<br>19 recommendation or a bad reference?<br>20 A Did he -- did he give -- did he tell 7:12:57PM<br>21 me specifically what he said?<br>22 Q No. Did he specifically tell you that 7:13:02PM<br>23 he was giving whoever was applying for that job<br>24 a bad reference?<br>25 MR. GRAFF: Objection. 7:13:09PM<br>TSG Reporting - Worldwide (877) 702-9580             |

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| <p style="text-align: right;">Page 246</p> <p>1 PAUL CAROLLO<br/>2 MR. NOVIKOFF: What's the basis? 7:13:11PM<br/>3 MR. GRAFF: Did he say those direct 7:13:13PM<br/>4 words?<br/>5 MR. NOVIKOFF: Yes. 7:13:15PM<br/>6 BY MR. NOVIKOFF: 7:13:15PM<br/>7 Q <b>Did he say to you, yes, I'm going to 7:13:17PM</b><br/>8 <b>give so and so a bad reference?</b><br/>9 A I think it was more that he couldn't 7:13:27PM<br/>10 believe that they're applying to Southampton.<br/>11 He certainly indicated he wasn't giving a good<br/>12 one.<br/>13 Q <b>How did he indicate that? 7:13:40PM</b><br/>14 A It was just the gist of the 7:13:43PM<br/>15 conversation.<br/>16 Q <b>Tell me about the gist. What 7:13:45PM</b><br/>17 <b>specifically did he say that led you -- if</b><br/>18 <b>anything, that lead you to believe that he was</b><br/>19 <b>not going to give them a good reference?</b><br/>20 A I got a call from Southampton. I 7:13:56PM<br/>21 guess they were looking for a job there. I<br/>22 don't remember specifics.<br/>23 Q <b>So as you sit here today, you don't 7:14:12PM</b><br/>24 <b>know -- you can't recall specifically what he</b><br/>25 <b>said?</b></p> <p style="text-align: center;">TSG Reporting - Worldwide (877) 702-9580</p>                                                                              | <p style="text-align: right;">Page 247</p> <p>1 PAUL CAROLLO<br/>2 A Specifically, no. 7:14:17PM<br/>3 Q <b>So you don't know as you sit here 7:14:19PM</b><br/>4 <b>today if George Hesse told you specifically he</b><br/>5 <b>was going to give them a bad reference, a good</b><br/>6 <b>reference or a neutral reference?</b><br/>7 MR. GRAFF: Objection. 7:14:29PM<br/>8 A Yes. 7:14:29PM<br/>9 Q <b>That's true? Your answer was yes? 7:14:31PM</b><br/>10 A Say the question again. 7:14:34PM<br/>11 Q <b>You can't tell us as you sit here 7:14:36PM</b><br/>12 <b>today whether George Hesse specifically told you</b><br/>13 <b>he was going to give a good reference, a bad</b><br/>14 <b>reference or a neutral reference with regard to</b><br/>15 <b>Southampton?</b><br/>16 MR. GRAFF: Objection. 7:14:47PM<br/>17 A Exactly what he said to Southampton, I 7:14:47PM<br/>18 don't know.<br/>19 Q <b>No. I know you don't know what he 7:14:50PM</b><br/>20 <b>said to Southampton unless George told you.</b><br/>21 Specifically, sir, you had a 7:14:56PM<br/>22 conversation with Mr. Hesse concerning one or<br/>23 more of the plaintiffs applying for a job at the<br/>24 Southampton police department, correct?<br/>25 A Yes. 7:15:05PM</p> <p style="text-align: center;">TSG Reporting - Worldwide (877) 702-9580</p>           |
| <p style="text-align: right;">Page 248</p> <p>1 PAUL CAROLLO<br/>2 Q <b>And you can't recall specifically as 7:15:06PM</b><br/>3 <b>you sit here today whether George Hesse said he</b><br/>4 <b>was going to give a bad reference, can you?</b><br/>5 A No. 7:15:14PM<br/>6 Q <b>And you can't recall as you sit here 7:15:14PM</b><br/>7 <b>today whether George Hesse said he was going to</b><br/>8 <b>give them a good reference, correct?</b><br/>9 MR. GRAFF: Objection. 7:15:21PM<br/>10 A I think he indicated it probably 7:15:26PM<br/>11 wasn't going to be good. Nothing specific.<br/>12 Q <b>In fact, you can't recall anything 7:15:31PM</b><br/>13 <b>specifically Mr. Hesse said to you during that</b><br/>14 <b>conversation concerning what reference he would</b><br/>15 <b>be giving to them, can you?</b><br/>16 MR. GRAFF: Objection. 7:15:40PM<br/>17 MR. NOVIKOFF: Basis? 7:15:41PM<br/>18 MR. GRAFF: He doesn't recall. I 7:15:46PM<br/>19 believe you're mischaracterizing the<br/>20 testimony.<br/>21 MR. NOVIKOFF: Okay. If you want to 7:15:51PM<br/>22 read that question back.<br/>23 (Whereupon, the requested portion was 7:15:53PM<br/>24 read back by the court reporter: In fact,<br/>25 you can't recall anything specifically</p> <p style="text-align: center;">TSG Reporting - Worldwide (877) 702-9580</p> | <p style="text-align: right;">Page 249</p> <p>1 PAUL CAROLLO<br/>2 Mr. Hesse said to you during that<br/>3 conversation concerning what reference he<br/>4 would be giving to them, can you?)<br/>5 A No. 7:16:05PM<br/>6 Q <b>Did Mr. Hesse ever indicate to you 7:16:25PM</b><br/>7 <b>with regard to the Halloween incident that it</b><br/>8 <b>was his intent to cover up any aspect of the</b><br/>9 <b>events of that evening?</b><br/>10 A No. 7:16:36PM<br/>11 Q <b>Did Chief Paradiso ever advise you 7:16:39PM</b><br/>12 <b>that it was the department's intent that the</b><br/>13 <b>department would be covering up any aspect of</b><br/>14 <b>the incident of the Halloween evening?</b><br/>15 A No. 7:16:51PM<br/>16 Q <b>Did Frank Fiorillo ever complain to 7:16:56PM</b><br/>17 <b>you at any point in time before April of 2006</b><br/>18 <b>that he believed that George Hesse had covered</b><br/>19 <b>up any aspect of the evening of the Halloween</b><br/>20 <b>incident?</b><br/>21 A I don't think we ever had a 7:17:16PM<br/>22 conversation about it.<br/>23 Q <b>How about Tom Snyder, did he ever 7:17:18PM</b><br/>24 <b>advise you prior to April of 2006 that, in his</b><br/>25 <b>opinion, George Hesse engaged in a coverup</b></p> <p style="text-align: center;">TSG Reporting - Worldwide (877) 702-9580</p> |

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1 PAUL CAROLLO  
2 there are different ways of --  
3 Q Let me make it more broad. Did Frank 7:20:09PM  
4 Fiorillo ever complain to you about George  
5 Hesse?  
6 A I think that he probably has let me 7:20:25PM  
7 know at times that he wasn't satisfied with the  
8 way -- he had his way of doing things and George  
9 had his way. I can't say something specific. I  
10 mean, I think that it's kind of known he had his  
11 opinion, George had his. He never voiced or I  
12 never knew his thoughts on things.  
13 Q His opinion regarding what? 7:20:49PM  
14 A No, there was probably no complaint 7:21:20PM  
15 about anything specific.  
16 Q You said they had differing opinions, 7:21:23PM  
17 Frank had his opinion and George had his  
18 opinion.  
19 A Frank liked to write a lot of tickets, 7:21:31PM  
20 and George probably felt it wasn't necessary to  
21 write so many tickets.  
22 Q Can you specifically remember any 7:21:37PM  
23 complaint that Frank Fiorillo ever made to you  
24 about George Hesse, about anything other than  
25 summonses being written?

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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|--|--|--|--|--|
| <b>PAUL CAROLLO</b>                                                                                                                                                                                                         |                  |  | <b>PAUL CAROLLO</b>                                                                                                                                                                                            |                                          |  |  |  |  |  |
| had as opposed to George?                                                                                                                                                                                                   |                  |  | real personal conversations with George.                                                                                                                                                                       |                                          |  |  |  |  |  |
| A Yes.                                                                                                                                                                                                                      | 7:22:48PM        |  | <b>Q Okay.</b>                                                                                                                                                                                                 | <b>7:24:02PM</b>                         |  |  |  |  |  |
| <b>Q Did Ed Carter ever complain to you about anything concerning George Hesse?</b>                                                                                                                                         |                  |  | A So anything -- most everything --                                                                                                                                                                            | 7:24:02PM                                |  |  |  |  |  |
| A No.                                                                                                                                                                                                                       | 7:22:54PM        |  | anything that I see or hear is more from a general conversation. I don't think George sat -- I probably never spent all that much time alone with George in the first place.                                   |                                          |  |  |  |  |  |
| <b>Q Did Tom Snyder ever complain to you about anything concerning George Hesse?</b>                                                                                                                                        |                  |  | <b>Q So are you telling us that any conversation -- anything you would've heard from George would've been not one on one but George saying it to a group of people?</b>                                        | <b>7:24:15PM</b>                         |  |  |  |  |  |
| A No.                                                                                                                                                                                                                       | 7:22:55PM        |  | A Probably. Yeah.                                                                                                                                                                                              | 7:24:23PM                                |  |  |  |  |  |
| <b>Q How about Joe Nofi?</b>                                                                                                                                                                                                |                  |  | <b>Q Then let me break that down. Did you ever hear George Hesse ever say that Frank Fiorillo was complaining to him about anything?</b>                                                                       | <b>7:24:25PM</b>                         |  |  |  |  |  |
| A No.                                                                                                                                                                                                                       | 7:23:02PM        |  | MR. GRAFF: Objection.                                                                                                                                                                                          | 7:24:38PM                                |  |  |  |  |  |
| <b>Q Did George Hesse ever advise you that he had heard that Frank Fiorillo had been making complaints about him?</b>                                                                                                       |                  |  | A Yeah, I would say that -- I can't remember a specific -- yeah, I would say that George probably heard somewhere along the line that Frank complained about things. What they are specifically, I don't know. | 7:24:49PM                                |  |  |  |  |  |
| A Complaints to where?                                                                                                                                                                                                      | 7:23:18PM        |  | <b>Q How about with regard to Kevin Lamm, were you ever in George's presence when he made reference to a complaint that Kevin Lamm made to</b>                                                                 | <b>7:25:02PM</b>                         |  |  |  |  |  |
| <b>Q To him. Let me rephrase the question. Did George Hesse ever advise you that Frank Fiorillo was complaining to him about anything?</b>                                                                                  |                  |  | TSG Reporting - Worldwide (877) 702-9580                                                                                                                                                                       | TSG Reporting - Worldwide (877) 702-9580 |  |  |  |  |  |
| A Specifics?                                                                                                                                                                                                                | 7:23:44PM        |  |                                                                                                                                                                                                                |                                          |  |  |  |  |  |
| <b>Q If you recall anything.</b>                                                                                                                                                                                            | <b>7:23:46PM</b> |  |                                                                                                                                                                                                                |                                          |  |  |  |  |  |
| A I don't recall any specifics.                                                                                                                                                                                             | 7:23:49PM        |  |                                                                                                                                                                                                                |                                          |  |  |  |  |  |
| <b>Q How about general?</b>                                                                                                                                                                                                 | <b>7:23:51PM</b> |  |                                                                                                                                                                                                                |                                          |  |  |  |  |  |
| A I mean, general, I guess. I don't think I ever had -- you know. I very rarely had                                                                                                                                         | 7:23:52PM        |  |                                                                                                                                                                                                                |                                          |  |  |  |  |  |
| TSG Reporting - Worldwide (877) 702-9580                                                                                                                                                                                    |                  |  |                                                                                                                                                                                                                |                                          |  |  |  |  |  |
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| <b>PAUL CAROLLO</b>                                                                                                                                                                                                         |                  |  | <b>PAUL CAROLLO</b>                                                                                                                                                                                            |                                          |  |  |  |  |  |
| him?                                                                                                                                                                                                                        |                  |  | others felt or -- you know, dopey. I'd use the word dopey as opposed to stupid.                                                                                                                                |                                          |  |  |  |  |  |
| A Kevin, no. I mean it was the thing with the handcuffing is about all I can remember.                                                                                                                                      | 7:25:14PM        |  | <b>Q Why would you use the word dopey as opposed to stupid?</b>                                                                                                                                                | <b>7:26:22PM</b>                         |  |  |  |  |  |
| <b>Q Same question with regard to Nofi.</b>                                                                                                                                                                                 | <b>7:25:20PM</b> |  | A I think you can be -- I think the word stupid means you don't know. Dopey can just be dizzy dopey.                                                                                                           | 7:26:27PM                                |  |  |  |  |  |
| A No.                                                                                                                                                                                                                       | 7:25:26PM        |  | <b>Q What makes you think that his reputation was that of being dopey?</b>                                                                                                                                     | <b>7:26:39PM</b>                         |  |  |  |  |  |
| <b>Q Same question with regard to Carter.</b>                                                                                                                                                                               | <b>7:25:27PM</b> |  | A Just from what I gather in conversations.                                                                                                                                                                    | 7:26:43PM                                |  |  |  |  |  |
| A No.                                                                                                                                                                                                                       | 7:25:31PM        |  | <b>Q Which was what?</b>                                                                                                                                                                                       | <b>7:26:47PM</b>                         |  |  |  |  |  |
| <b>Q Same question with regard to Snyder?</b>                                                                                                                                                                               | <b>7:25:32PM</b> |  | A I guess people were saying he was dopey.                                                                                                                                                                     | 7:26:52PM                                |  |  |  |  |  |
| A No.                                                                                                                                                                                                                       | 7:25:34PM        |  | <b>Q Did you ever learn of any examples of his dopiness?</b>                                                                                                                                                   | <b>7:26:54PM</b>                         |  |  |  |  |  |
| <b>Q Let's talk about Joe Nofi for a minute. You were trying to articulate when Mr. Graff was asking you some questions about what issues certain officers had. Did he have a reputation of being stupid?</b>               | <b>7:25:35PM</b> |  | A No.                                                                                                                                                                                                          | 7:26:59PM                                |  |  |  |  |  |
| MR. GRAFF: Objection.                                                                                                                                                                                                       | 7:25:46PM        |  | <b>Q Other than the swinging his legs out of the car?</b>                                                                                                                                                      | <b>7:27:00PM</b>                         |  |  |  |  |  |
| A I don't know if I would use the word stupid. There is a difference. Dopey.                                                                                                                                                | 7:25:55PM        |  | A Yeah.                                                                                                                                                                                                        | 7:27:03PM                                |  |  |  |  |  |
| <b>Q Okay. What do you mean by dopey?</b>                                                                                                                                                                                   | <b>7:25:59PM</b> |  | <b>Q That was the only --</b>                                                                                                                                                                                  | <b>7:27:04PM</b>                         |  |  |  |  |  |
| A I don't mean anything. I'm talking about what you're asking me about a reputation. I choose not to have much of a thought process on a lot of people. It's easier. If you're asking me what others would indicate or what | 7:26:01PM        |  | A That was my only personal contact.                                                                                                                                                                           | 7:27:05PM                                |  |  |  |  |  |
| TSG Reporting - Worldwide (877) 702-9580                                                                                                                                                                                    |                  |  | <b>Q You indicated in response to a question from Mr. Graff that you tried to stay</b>                                                                                                                         | <b>7:27:25PM</b>                         |  |  |  |  |  |
| TSG Reporting - Worldwide (877) 702-9580                                                                                                                                                                                    |                  |  |                                                                                                                                                                                                                |                                          |  |  |  |  |  |

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PAUL CAROLLO  
can't remember any specific time working  
partners with or with Ed.

Q Right. Let me rephrase the question. 7:28:42PM  
There may have been times when you 7:28:44PM  
were on the same tour, correct, or your tours  
intermixed?

A Yes. 7:28:52PM

Q And so my question is more specific. 7:28:57PM  
In 2005, let's start again with Carter, how many  
times did you spend any part of the tour  
patrolling Ocean Beach side by side with Ed  
Carter?

A I personally can't remember any. 7:29:15PM

Q How about Snyder? 7:29:17PM

A Side by side, I kind of vaguely 7:29:19PM  
remember running into Snyder now and then on the  
street. But I don't know that I worked side by  
side. I don't think I ever worked side by side.

Q How about Lamm? 7:29:33PM

A Kevin I worked a little bit more. 7:29:34PM

Q When you say a little more? 7:29:36PM

A I can remember standing on a corner 7:29:37PM  
with Kevin.

Q More than 10 times that season? 7:29:40PM

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**PAUL CAROLLO**

2 A Right. 7:30:26PM

3 Q So if I understand your testimony 7:30:27PM  
4 correctly, for the two seasons that you -- for  
5 the 2004 and 2005 seasons, you didn't tour side  
6 by side with Carter at all or Nofi at all,  
7 correct?

8 A Pretty much, yeah. 7:30:47PM

9 Q And for the 2004, 2005 seasons, if you 7:30:48PM  
10 toured at all with Snyder, it would've been just  
11 a few times?

12 A Yes. 7:30:55PM

13 Q And for those two seasons, you toured 7:30:55PM  
14 side by side with Fiorillo anywhere between 10  
15 times and 20 times in those two seasons  
16 combined?

17 A I guess so. 7:31:09PM

18 Q And the same amount of time would be 7:31:09PM  
19 applicable to Lamm?

20 A Yeah. 7:31:14PM

21 Q Now, did you tell Mr. Hesse that 7:31:21PM  
22 Snyder was not interested in helping you with  
23 that arrest on that one occasion you testified  
24 to?

25 MR. GRAFF: Objection. 7:31:27PM

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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: center;">Page 262</p> <p>1 PAUL CAROLLO<br/>2 A No. 7:31:28PM<br/>3 Q Now, let's go to the events of -- I 7:31:36PM<br/>4 guess April 2nd was that annual meeting. You<br/>5 testified that you thought that George thought<br/>6 it was funny that the four of the plaintiffs<br/>7 that were there that day were fired. Do you<br/>8 recall that?<br/>9 A Yes. 7:31:51PM<br/>10 Q What is the basis for your belief that 7:31:52PM<br/>11 George Hesse thought it was funny?<br/>12 A That everybody was laughing. 7:31:59PM<br/>13 Q Okay. But was George laughing? 7:32:01PM<br/>14 A Yeah. 7:32:04PM<br/>15 Q Do you know what George -- were you 7:32:06PM<br/>16 present when George was laughing or did you<br/>17 witness from a distance that George was<br/>18 laughing?<br/>19 MR. GRAFF: Objection. 7:32:13PM<br/>20 A Was I personally standing next to him, 7:32:16PM<br/>21 no. Was I in the room, yeah.<br/>22 Q Do you know what the conversation 7:32:20PM<br/>23 was -- did you hear the conversation where you<br/>24 saw George Hesse laughing?<br/>25 MR. GRAFF: Objection. 7:32:29PM</p> <p>TSG Reporting - Worldwide (877) 702-9580</p> | <p style="text-align: center;">Page 263</p> <p>1 PAUL CAROLLO<br/>2 A I don't think there was any real 7:32:33PM<br/>3 conversation about it. Everyone was just kind<br/>4 of laughing about it.<br/>5 Q How long were they laughing about it? 7:32:38PM<br/>6 A Less than 10 minutes. 7:32:40PM<br/>7 Q Now we're only talking about George 7:32:42PM<br/>Hesse. You saw George Hesse, on April 2nd --<br/>9 A The whole thing would've gone on less 7:32:48PM<br/>10 than 10 minutes. I know you want to<br/>11 specifically -- it was in a group.<br/>12 Q I understand. George was part of a 7:32:55PM<br/>group of people, right?<br/>14 A Right. 7:32:58PM<br/>15 Q And you saw from some type of 7:32:58PM<br/>distance -- were you part of that group?<br/>17 A Laughing, no. 7:33:03PM<br/>18 Q And were you in the group of the 7:33:04PM<br/>people laughing?<br/>20 A It was, I don't know, 25 people maybe, 7:33:10PM<br/>21 whatever the amount was.<br/>22 Q Were they all in one circle, like you 7:33:14PM<br/>would be at a campsite?<br/>24 A A room, you know, maybe twice the size 7:33:19PM<br/>of this room.</p> <p>TSG Reporting - Worldwide (877) 702-9580</p> |
| <p style="text-align: center;">Page 264</p> <p>1 PAUL CAROLLO<br/>2 Q So people were milling around, 7:33:23PM<br/>correct?<br/>4 A Yes. 7:33:25PM<br/>5 MR. GRAFF: Objection. Could we just 7:33:25PM<br/>clarify the size of the room?<br/>7 MR. NOVIKOFF: I think he just said 7:33:30PM<br/>the size of this room.<br/>9 A It's probably 14 feet wide, so it's 7:33:37PM<br/>10 a -- no, 28 feet wide, that room. I'm going to<br/>11 say that place was 30 by 40.<br/>12 Q So a 30-by-40 room. There were about 7:33:51PM<br/>13 25, 30 people there. Were they in separate<br/>14 groups during that 10-minute period that you saw<br/>15 people laughing?<br/>16 A No. Everybody was just, you know -- 7:34:02PM<br/>17 Q Milling around? 7:34:05PM<br/>18 A Yeah. 7:34:06PM<br/>19 Q Like at a cocktail party? 7:34:06PM<br/>20 A Exactly. Yes. 7:34:08PM<br/>21 Q And were you present during any part 7:34:10PM<br/>22 of a conversation wherein you saw George Hesse<br/>laughing?<br/>24 MR. GRAFF: Objection. 7:34:18PM<br/>25 A Was I part of the conversation, no. 7:34:20PM</p> <p>TSG Reporting - Worldwide (877) 702-9580</p>                                        | <p style="text-align: center;">Page 265</p> <p>1 PAUL CAROLLO<br/>2 Q And you can't tell us as you sit here 7:34:21PM<br/>today what George Hesse was talking about with<br/>4 anybody else when he was laughing, can you?<br/>5 MR. GRAFF: Objection. 7:34:30PM<br/>6 A Specific conversation with somebody 7:34:35PM<br/>7 else as opposed to the whole room?<br/>8 Q Right. 7:34:38PM<br/>9 A I know what the gist was about. 7:34:42PM<br/>10 Q You think you know what the gist was 7:34:43PM<br/>about. My question is, where George Hesse was<br/>12 standing when he was laughing, according to your<br/>13 testimony, you can't tell us what the<br/>14 conversation was about?<br/>15 MR. GRAFF: Objection. 7:34:54PM<br/>16 BY MR. NOVIKOFF: 7:34:54PM<br/>17 Q Because you didn't hear the 7:34:56PM<br/>18 conversation, correct?<br/>19 MR. GRAFF: Objection. 7:34:58PM<br/>20 A I don't think it really was a 7:35:01PM<br/>21 conversation.<br/>22 Q Then was George Hesse just smiling for 7:35:04PM<br/>23 10 minutes?<br/>24 MR. GRAFF: Objection. 7:35:07PM<br/>25 A There was laughter in the group. 7:35:11PM</p> <p>TSG Reporting - Worldwide (877) 702-9580</p> |

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1 PAUL CAROLLO

2 Q Could it be because he was happy to 7:35:13PM  
3 see a number of those police officers who he  
4 hadn't seen in many months?

5 MR. GRAFF: Objection. 7:35:20PM  
6 A No, it wasn't that. I said when they 7:35:23PM  
7 all walked off, everybody was laughing, that's  
8 it.

9 Q Where was George Hesse when they all 7:35:41PM  
10 walked off?

11 MR. GRAFF: Objection. 7:35:44PM

12 MR. NOVIKOFF: What's the basis of 7:35:45PM  
13 that one?

14 MR. GRAFF: I don't understand what 7:35:47PM  
15 you're asking.

16 MR. NOVIKOFF: He said when they 7:35:48PM  
17 walked off, they were all laughing. Based  
18 upon his prior testimony, he's referring to  
19 when the four plaintiffs left to go to the  
20 water taxi, everyone else in the room was  
21 laughing.

22 BY MR. NOVIKOFF: 7:36:02PM

23 Q Am I correct? 7:36:03PM

24 A Outside, yeah. 7:36:04PM

25 Q Where was George Hesse? 7:36:05PM

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1 PAUL CAROLLO

2 A Outside. 7:36:06PM  
3 Q But didn't George Hesse talk to each 7:36:08PM  
4 one of you in a private room?

5 A Each one -- he came out with them. 7:36:14PM  
6 Q He came out with each one of them? 7:36:18PM  
7 A No. I'm very unclear about that. 7:36:20PM  
8 Q That's what I'm asking you. Again, 7:36:23PM  
9 I'm not trying to trip you up. But Mr. Graff  
10 asked you some questions, and he let some things  
11 hang out there without following up.

12 A Okay. 7:36:34PM

13 Q So during this annual meeting in April 7:36:35PM  
14 of 2006, George Hesse would meet with various  
15 officers, various people who were told to come  
16 to that meeting in a private room, right?

17 MR. GRAFF: Objection. 7:36:48PM

18 BY MR. NOVIKOFF: 7:36:49PM

19 Q Is that correct? 7:36:49PM

20 MR. GRAFF: Objection. 7:36:51PM

21 A Ask me again. 7:36:51PM

22 Q George Hesse would have conversations 7:36:53PM  
23 with various individuals in a private room,  
24 correct?

25 MR. GRAFF: Objection. 7:36:58PM

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1 PAUL CAROLLO

2 A Yes. 7:37:01PM

3 Q And then presumably when the 7:37:02PM  
4 conversation was done, the person would leave  
5 the room, right, and another person would come  
6 in and talk to George?

7 MR. GRAFF: Objection. 7:37:14PM

8 A I'm trying to think if they were 7:37:27PM  
9 outside individually or not or if they remained  
10 in the room.

11 Q "They" being whom? 7:37:31PM

12 A The four of them. 7:37:33PM

13 Q Let me ask you this: Did each of the 7:37:38PM  
14 plaintiffs that were there that day go into that  
15 room separately or did they go in as a group?

16 MR. GRAFF: Objection. 7:37:48PM

17 MR. NOVIKOFF: What is the basis? 7:37:49PM

18 MR. GRAFF: Asked and answered. 7:37:51PM

19 MR. NOVIKOFF: No. Maybe by you, not 7:37:52PM  
20 by me.

21 A I'm sorry? 7:37:59PM

22 Q Did you see any of them go into the 7:38:02PM  
23 room?

24 A The only real picture I have is the 7:38:05PM  
25 four of them walking off.

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1 PAUL CAROLLO

2 Q Here is my question. Did you ever see 7:38:09PM  
3 them walk into the room to speak with Mr. Hesse?

4 A No. 7:38:15PM

5 Q Did you ever see them walk out of the 7:38:16PM  
6 room after speaking with Mr. Hesse?

7 A I can't recall. 7:38:31PM

8 Q Okay. 7:38:34PM

9 A The only picture I have is them 7:38:34PM  
10 walking off.

11 Q Is the four of them walking off? 7:38:37PM

12 A Yes. 7:38:38PM

13 Q Was George Hesse standing next to them 7:38:39PM  
14 as the four of them walked out?

15 A Standing next to them, no. 7:38:46PM

16 Q When you say walked out, you're saying 7:38:48PM  
17 walking out of the boathouse?

18 A I have a vision of them, because 7:38:52PM  
19 that's when I felt really bad about the whole  
20 thing was when the four of them were walking  
21 off.

22 Q To where? 7:38:59PM

23 A To the water taxi. 7:39:00PM

24 Q How far away is the water taxi from 7:39:01PM  
25 the boathouse?

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1 PAUL CAROLLO

2 A I haven't been there so long myself, 7:39:11PM  
3 I'm trying to envision the whole place.

4 200 feet. 7:39:16PM

5 Q So you were outside of the boathouse 7:39:17PM  
6 when you saw the four of them walking towards  
7 the water taxi; is that your testimony?

8 A Yes. 7:39:23PM

9 Q Was George Hesse inside the boathouse 7:39:23PM  
10 or outside the boathouse when you recall seeing  
11 the four of them walk to the water taxi?

12 A I believe he was on the deck. 7:39:31PM

13 Q On the deck where? 7:39:37PM

14 A Outside the boathouse. 7:39:39PM

15 Q Was anyone on the deck with him? 7:39:40PM

16 A It's only stairs. I don't know. 7:39:45PM

17 Q Was George Hesse giggling when you saw 7:39:48PM  
him on the deck as the four of them were walking  
19 towards the water taxi?

20 MR. GRAFF: Objection. 7:39:56PM

21 A I believe so. 7:40:01PM

22 Q Giggling? 7:40:02PM

23 A I would say laughing. I don't know 7:40:04PM  
what giggling is.

25 Q Do you know what he was laughing at? 7:40:07PM

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1 PAUL CAROLLO

2 Did you hear what he was laughing at, if  
3 anything?

4 MR. GRAFF: Objection. 7:40:12PM

5 A It was the whole group laughing. 7:40:13PM

6 Q What whole group? 7:40:15PM

7 A The whole group of guys. Not the 7:40:17PM  
whole group. Not everybody was. Certainly  
50 percent.

10 Q Were they all on the balcony with 7:40:22PM  
George?

12 A No. 7:40:25PM

13 Q Who was on the balcony with George? 7:40:25PM

14 A I don't remember anyone else that was 7:40:28PM  
on there with him.

16 Q So George was just laughing by 7:40:33PM  
himself?

18 A Yeah. 7:40:37PM

19 Q Watching the four of them walk away? 7:40:38PM

20 A Yeah. 7:40:41PM  
21 Q You said you were not comfortable with 7:40:50PM  
how it went down. What specifically were you  
22 not comfortable with?

24 A I think he could've done it on a more 7:40:57PM  
personal level.

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1 PAUL CAROLLO

2 Q Tell me how. 7:41:02PM

3 A You know, in other words, that 7:41:03PM  
everybody was there.

5 Q You think -- 7:41:06PM

6 A In other words, if you wanted to fire 7:41:07PM  
somebody, terminate them, whatever term you want  
8 to use, it could've been done personally.

9 Q But he did fire them personally. 7:41:18PM

10 Didn't he fire them in a private room?

11 A Are you asking me how -- 7:41:23PM

12 Q No, no. Did he fire them in the 7:41:26PM  
13 private room or did he fire them in front of  
14 everyone in a big speech?

15 MR. GRAFF: Objection. 7:41:31PM

16 BY MR. NOVIKOFF: 7:41:32PM

17 Q How did he fire them? 7:41:33PM

18 MR. GRAFF: Objection. 7:41:35PM

19 BY MR. NOVIKOFF: 7:41:35PM

20 Q To your knowledge or belief. 7:41:36PM

21 A My belief is they were inside and told 7:41:37PM  
they weren't needed anymore.

23 Q He didn't say that to the group in 7:41:42PM  
front of them, did he, to your knowledge?

25 A No. 7:41:46PM

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1 PAUL CAROLLO

2 Q And he didn't go out, to your 7:41:47PM  
knowledge, and -- withdrawn.

4 So is it your opinion that you were 7:41:53PM  
uncomfortable because you think that George  
6 could have done it in an even more private  
7 manner?

8 MR. GRAFF: Objection. 7:42:02PM

9 A Yes. 7:42:02PM  
10 Q Where the other officers weren't 7:42:03PM  
there?

12 A Yes. 7:42:05PM

13 Q And did you ever state to George Hesse 7:42:06PM  
14 that you were uncomfortable with how he handled  
it?

16 A No. 7:42:11PM

17 Q Now, did you hear anyone that day when 7:42:14PM  
18 you say they were laughing speak disparagingly  
19 about the plaintiffs?

20 A Repeat that question. 7:42:30PM

21 Q You said you saw a number of people 7:42:31PM  
laughing, and you believed that they were  
23 laughing because of the events that took place  
24 as it pertained to their jobs, correct?

25 A Yes. 7:42:44PM

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1 PAUL CAROLLO

2 Q Did you specifically hear anyone that 7:42:44PM  
3 day, in or out of the boathouse, speak  
4 disparagingly of any of the plaintiffs?

5 MR. GRAFF: Objection. 7:42:56PM

6 A I can't remember. 7:43:00PM

7 Q In response to one of Mr. Graff's 7:43:07PM  
8 questions you said that everyone knew of  
9 George's feelings of each of them.

10 MR. GRAFF: Objection. 7:43:15PM

11 BY MR. NOVIKOFF: 7:43:15PM

12 Q Do you recall giving that answer? 7:43:17PM

13 A Yes. 7:43:19PM

14 Q Would that include you? Would you 7:43:20PM  
15 also know George's feelings about each one of  
16 them?

17 MR. GRAFF: Objection. 7:43:27PM

18 A Yes. 7:43:28PM

19 Q What was George's feelings about Ed 7:43:29PM  
20 Carter?

21 MR. GRAFF: Objection. 7:43:32PM

22 MR. CONNOLLY: Objection. 7:43:33PM

23 A Actually, I shouldn't say that. I 7:43:34PM  
24 don't know what his feelings were on Ed Carter.

25 Q Okay. So then my question is -- okay. 7:43:39PM

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1 PAUL CAROLLO

2 How about Kevin Lamm, do you know what George's  
3 feelings were about Kevin Lamm?

4 MR. GRAFF: Objection. 7:43:46PM

5 MR. CONNOLLY: Objection. 7:43:48PM

6 A I don't know. 7:43:57PM

7 Q What is your understanding of George 7:43:59PM  
8 Hesse's feelings about Kevin Lamm?

9 MR. GRAFF: Objection. 7:44:03PM

10 MR. CONNOLLY: Objection. 7:44:04PM

11 A What I stated already about the 7:44:04PM  
12 handcuffing thing.

13 Q Same question with regard to Frank 7:44:08PM  
14 Fiorillo.

15 MR. GRAFF: Objection. 7:44:10PM

16 A The summons, the same thing about the 7:44:14PM  
17 summonses.

18 Q Same question about Tom Snyder. 7:44:16PM

19 MR. GRAFF: Objection. 7:44:19PM

20 A I don't know. I'm not sure what 7:44:23PM  
21 George's opinion of him was.

22 Q Same question as to Joe Nofi. 7:44:26PM

23 MR. GRAFF: Objection. 7:44:28PM

24 A I can't say for sure that I ever 7:44:56PM  
25 heard -- I can't remember whether George --

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1 PAUL CAROLLO

2 whether I ever heard George say whether he was  
3 dumb or not.

4 Q Okay. My question's a little bit more 7:45:04PM  
5 general.

6 A You're asking what George thinks about 7:45:06PM  
7 them?

8 Q Right. 7:45:09PM

9 A I can't specifically say that I heard 7:45:09PM  
10 George say that.

11 Q I'm not really asking you what George 7:45:12PM  
12 may have said or not said. My question to you  
13 is, what is your belief as to what -- as to how  
14 George felt about Joe Nofi?

15 MR. GRAFF: Objection. 7:45:22PM

16 MR. CONNOLLY: Objection. 7:45:23PM

17 A My belief would probably be that -- 7:45:25PM  
18 you know, that he was dopey.

19 Q Let's put you aside now. Your 7:45:31PM  
20 original answer was, in sum or substance,  
21 everyone knew George's feeling about each of  
22 them. What was everyone's feeling about how  
23 George felt about Frank Fiorillo?

24 MR. GRAFF: Objection. 7:45:43PM

25 A The same thing I just said. 7:45:49PM

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1 PAUL CAROLLO

2 Q That's fine. Nofi, same question. 7:45:52PM  
3 MR. GRAFF: Same objection. 7:45:55PM

4 A Same thing. 7:45:56PM

5 Q Carter, same question. 7:45:57PM

6 MR. GRAFF: Objection. 7:45:59PM

7 A The same answer. 7:45:59PM

8 Q Fiorillo? 7:46:01PM

9 MR. GRAFF: Objection. 7:46:02PM

10 A Didn't we start with Fiorillo? 7:46:07PM

11 Q Snyder? 7:46:10PM

12 MR. GRAFF: Objection. 7:46:10PM

13 A Same thing. 7:46:11PM

14 Q Lamm? 7:46:12PM

15 MR. GRAFF: Objection. 7:46:13PM

16 A Same thing. 7:46:13PM

17 Q And what is the basis for your belief 7:46:14PM  
18 that you knew what everyone else thought  
19 George's feelings were about each of the  
20 plaintiffs?

21 MR. GRAFF: Objection. 7:46:23PM

22 BY MR. NOVIKOFF: 7:46:23PM

23 Q It's a convoluted question, but it 7:46:26PM  
24 actually makes sense.

25 A Repeat it again. 7:46:30PM

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| <p style="text-align: right;">Page 278</p> <p>1 PAUL CAROLLO<br/>2 Q You've testified that, in your 7:46:32PM<br/>3 opinion, everyone knew what George's feelings<br/>4 were about each of the five plaintiffs. So my<br/>5 question now is, what is the basis for your<br/>6 belief that, as you say --<br/>7 A Osmosis. 7:46:47PM<br/>8 Q -- everyone else knew what George's 7:46:48PM<br/>9 feelings were about each of these plaintiffs?<br/>10 MR. GRAFF: Objection. 7:46:53PM<br/>11 A Osmosis. 7:46:56PM<br/>12 Q And being 30 years away from my earth 7:46:58PM<br/>13 science class, what do you mean by osmosis?<br/>14 A Things just sucked in. 7:47:04PM<br/>15 Q What things? 7:47:05PM<br/>16 A Just conversations people had, I 7:47:15PM<br/>17 guess. Just being in a room.<br/>18 Q Let me ask you a question. Based upon 7:47:20PM<br/>19 your experience and time during those seasons,<br/>20 what was -- was Frank Fiorillo well liked by a<br/>21 majority of the other police officers?<br/>22 MR. GRAFF: Objection. 7:47:38PM<br/>23 A I don't think he was disliked. I 7:47:41PM<br/>24 don't know about well liked. I liked Frank. I<br/>25 can't say whether people well liked -- well</p> <p>TSG Reporting - Worldwide (877) 702-9580</p> | <p style="text-align: right;">Page 279</p> <p>1 PAUL CAROLLO<br/>2 liked? I wouldn't say what anybody thought,<br/>3 because once you get people on a personal level,<br/>4 they have a different opinion of what they go<br/>5 with their group. So what someone may say about<br/>6 Frank in a group, they may not say in person.<br/>7 Q So you don't really know who felt what 7:48:10PM<br/>8 about any of the plaintiffs?<br/>9 A Absolutely. 7:48:14PM<br/>10 Q That's fine. I just want to get that 7:48:14PM<br/>11 clear.<br/>12 MR. GRAFF: It's untimely, but 7:48:27PM<br/>13 objection to the last question.<br/>14 BY MR. NOVIKOFF: 7:48:30PM<br/>15 Q You said a lot of people didn't like 7:48:53PM<br/>16 them a lot. That was in response to a question<br/>17 that Mr. Graff asked you. Do you want to<br/>18 explain the basis for that answer?<br/>19 MR. GRAFF: Objection. 7:49:03PM<br/>20 A Can you ask that question again? 7:49:12PM<br/>21 Q Yeah. I believe in response to one of 7:49:14PM<br/>22 Mr. Graff's questions, you said that a lot of<br/>23 people didn't like the plaintiffs a lot. Do you<br/>24 remember that?<br/>25 MR. GRAFF: Objection. 7:49:22PM</p> <p>TSG Reporting - Worldwide (877) 702-9580</p> |
| <p style="text-align: right;">Page 280</p> <p>1 PAUL CAROLLO<br/>2 A I don't know if I stated that much, 7:49:28PM<br/>3 but perhaps.<br/>4 Q What would be the basis for that 7:49:30PM<br/>5 belief?<br/>6 A Just as what I stated before. Just 7:49:32PM<br/>7 conversations. I don't know exact conversation.<br/>8 I can't remember whether I heard specific<br/>9 things. Just, you know, you get the feeling of<br/>10 things around you.<br/>11 Q So it was your feeling -- at what 7:49:45PM<br/>12 point in time did you have this feeling that the<br/>13 plaintiffs weren't well liked by the other<br/>14 members of the police department?<br/>15 MR. GRAFF: Objection. 7:49:55PM<br/>16 A At what point? 7:49:56PM<br/>17 Q Yeah. 7:49:58PM<br/>18 A I don't know. Probably maybe the 7:50:09PM<br/>19 second year.<br/>20 Q That would be the 2005 season? 7:50:12PM<br/>21 A 2005, yeah. 7:50:16PM<br/>22 Q Did the Bosettis ever talk to you 7:50:17PM<br/>23 about their feelings about any of the<br/>24 plaintiffs?<br/>25 MR. GRAFF: Objection. 7:50:24PM</p> <p>TSG Reporting - Worldwide (877) 702-9580</p>                                                                                                                                      | <p style="text-align: right;">Page 281</p> <p>1 PAUL CAROLLO<br/>2 A Personally? 7:50:27PM<br/>3 Q Yeah. To you personally. 7:50:28PM<br/>4 MR. GRAFF: Objection. 7:50:32PM<br/>5 A No. 7:50:32PM<br/>6 Q How about Ty Bacon? 7:50:37PM<br/>7 MR. GRAFF: Objection. 7:50:49PM<br/>8 A Did Ty ever speak to me personally? 7:50:55PM<br/>9 Q Yeah, about any of the plaintiffs. 7:50:58PM<br/>10 MR. GRAFF: Objection. 7:50:59PM<br/>11 A No. 7:51:00PM<br/>12 Q Last question, hopefully. Did you 7:51:05PM<br/>13 ever hear the plaintiffs make any antisemitic<br/>14 remarks?<br/>15 A Did I ever hear the plaintiffs make 7:51:14PM<br/>16 any antisemitic remarks. No.<br/>17 MR. NOVIKOFF: I have no further 7:51:18PM<br/>18 questions.<br/>19 MR. GRAFF: Just a couple of 7:51:20PM<br/>20 follow-ups on some of Mr. Novikoff's<br/>21 questions.<br/>22 EXAMINATION 7:51:24PM<br/>23 BY MR. GRAFF: 7:51:29PM<br/>24 Q Going back to the Southampton 7:51:30PM<br/>25 post-termination employment. Do you remember</p> <p>TSG Reporting - Worldwide (877) 702-9580</p>                                                                                                                                                                       |



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| <p style="text-align: right;">Page 286</p> <p>1 PAUL CAROLLO<br/>2 Q On the occasions when you did work 7:56:17PM<br/>3 with Frank Fiorillo, did you ever write<br/>4 summonses with him?<br/>5 A Yeah, I'd say so. 7:56:25PM<br/>6 Q Based on your experience writing 7:56:27PM<br/>7 summons with Mr. Fiorillo, in your opinion, was<br/>8 there anything wrong with his summons writing<br/>9 practices?<br/>10 MR. NOVIKOFF: Objection. 7:56:34PM<br/>11 A His practices? No. 7:56:35PM<br/>12 Q Going back to the April 2nd meeting. 7:56:39PM<br/>13 Did you see whether George Hesse met privately<br/>14 with anyone other than the plaintiffs before<br/>15 that meeting started?<br/>16 A There were a few people on the thing. 7:57:04PM<br/>I think he must have. I can't say for sure. I<br/>can't even say that I saw him specifically<br/>meeting -- it's more of a knowledge than sight<br/>that they met personally. I don't know if the<br/>three or if it was two at a time or one at a<br/>time. I'm not sure about it.<br/>23 Q Other than the plaintiffs, did you see 7:57:20PM<br/>anyone else go in to meet with Hesse, whether it<br/>was one at a time or two at a time or three at a<br/>TSG Reporting - Worldwide (877) 702-9580</p>                   | <p style="text-align: right;">Page 287</p> <p>1 PAUL CAROLLO<br/>2 time?<br/>3 A I would've thought there was, but I 7:57:35PM<br/>4 can't remember seeing exactly anything.<br/>5 Q After the point where you saw them 7:57:40PM<br/>6 walking to the water taxi, how much time passed<br/>7 until people then moved inside for the meeting?<br/>8 A Less than 10 minutes, probably. 7:57:55PM<br/>9 Q And then when people were inside 7:58:01PM<br/>10 milling around after they moved in, about how<br/>11 much time passed after -- from when people moved<br/>12 in until the meeting got underway?<br/>13 A Say that again. 7:58:12PM<br/>14 Q Once people started moving inside and 7:58:14PM<br/>15 were milling around inside, how much milling<br/>16 around time was there until the meeting actually<br/>17 started?<br/>18 MR. CONNOLLY: Objection. 7:58:24PM<br/>19 A It was all pretty instant. It all 7:58:27PM<br/>kind of happened very quick.<br/>21 Q Do you recall whether when people were 7:58:39PM<br/>outside, before any of the plaintiffs went in,<br/>whether people had formed a line?<br/>24 A Before they went in, I believe so. 7:58:53PM<br/>25 Q And who was in that -- were the 7:58:55PM<br/>TSG Reporting - Worldwide (877) 702-9580</p> |
| <p style="text-align: right;">Page 288</p> <p>1 PAUL CAROLLO<br/>2 plaintiffs in that line?<br/>3 A I can't say who was in the line. 7:58:58PM<br/>4 Q Do you recall anyone else being in the 7:59:02PM<br/>5 line aside from plaintiffs?<br/>6 A I thought there was. 7:59:06PM<br/>7 Q Do you recall that plaintiffs were in 7:59:09PM<br/>8 the line?<br/>9 A I can only assume -- yeah, they were 7:59:19PM<br/>10 inside. They obviously were inside. This is<br/>11 all obvious things. I saw them walking out.<br/>12 Not paying attention or realizing what's going<br/>13 on. So I remember a line going up. When they<br/>14 were on it or exactly how that all transpired or<br/>15 was there anybody else on it or was it only the<br/>16 four of them, I can't say.<br/>17 Q Did you see Ty Bacon come off the 7:59:46PM<br/>18 water taxi on the day of the meeting?<br/>19 A No. 7:59:51PM<br/>20 Q At what point -- on April 2nd at the 7:59:57PM<br/>21 meeting or at any point around the meeting on<br/>22 April 2nd, did you get a new ID?<br/>23 A I think he handed out -- yeah, he was 8:00:06PM<br/>24 taking pictures. You know what, did we get it<br/>25 then or did he just take the picture? I think<br/>TSG Reporting - Worldwide (877) 702-9580</p> | <p style="text-align: right;">Page 289</p> <p>1 PAUL CAROLLO<br/>2 he was taking a picture.<br/>3 Q Just one more. Mr. Novikoff was 8:00:23PM<br/>4 asking you some questions about what<br/>5 specifically was the basis for your testifying<br/>6 that George Hesse was laughing or thought it was<br/>7 humorous that the plaintiffs had been fired.<br/>8 Let me get to my question.<br/>9 Do you have any doubt that you 8:00:42PM<br/>10 observed George Hesse expressing amusement or<br/>11 laughter over the fact that plaintiffs had been<br/>12 fired before the April 2nd meeting started<br/>13 when people were inside?<br/>14 MR. CONNOLLY: Objection. 8:00:55PM<br/>15 MR. NOVIKOFF: Objection. 8:00:56PM<br/>16 A Reask that. 8:00:58PM<br/>17 Q Once people moved inside for the 8:00:59PM<br/>18 meeting, before the meeting started, do you<br/>19 believe that you saw George Hesse laughing about<br/>20 plaintiffs being fired?<br/>21 A There were a bunch of people laughing. 8:01:12PM<br/>22 MR. NOVIKOFF: What was that answer? 8:01:14PM<br/>23 THE WITNESS: There were a bunch of 8:01:15PM<br/>24 people laughing.<br/>25 TSG Reporting - Worldwide (877) 702-9580</p>                                                                          |

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| <p>1 PAUL CAROLLO<br/>2 BY MR. GRAFF: 8:01:17PM<br/>3 Q Do you have any doubt that the source 8:01:18PM<br/>4 of their amusement was the fact that plaintiffs<br/>5 had been terminated, whether or not you remember<br/>6 specifically what was said?<br/>7 MR. NOVIKOFF: Objection. Foundation. 8:01:26PM<br/>8 MR. CONNOLLY: Objection. 8:01:30PM<br/>9 A Yeah, I believe that's what they were 8:01:31PM<br/>10 laughing about.<br/>11 Q And the basis for your belief was your 8:01:35PM<br/>12 observations?<br/>13 A My observations. 8:01:38PM<br/>14 MR. GRAFF: Thank you again for coming 8:01:40PM<br/>15 in today.<br/>16 (Time noted 8:01 p.m.) 8:01:42PM<br/>17 _____ 8:01:42PM<br/>18 PAUL CAROLLO 8:01:42PM<br/>19 8:01:42PM<br/>20 Subscribed and sworn to before me 8:01:42PM<br/>21 this day of , 2009 8:01:42PM<br/>22 _____ 8:01:42PM<br/>23<br/>24<br/>25</p> <p>TSG Reporting - Worldwide (877) 702-9580</p> | <p>1 PROCEEDINGS<br/>2 C E R T I F I C A T E<br/>3<br/>4 I, JUDI JOHNSON, RPR, CRR, CLR, a Notary Public in<br/>5 and for the State of New York, do hereby certify:<br/>6 THAT the witness whose testimony is hereinbefore<br/>7 set forth, was duly sworn by me; and<br/>8 THAT the within transcript is a true record<br/>9 of the testimony given by said witness. I further<br/>10 certify that I am not related, either by blood or<br/>11 marriage, to any of the parties to this action; and<br/>12 THAT I am in no way interested in the outcome of<br/>13 this matter.<br/>14 IN WITNESS WHEREOF, I have hereunto set<br/>15 my hand this 21st day of August, 2009.<br/>16<br/>17 _____<br/>18 JUDI JOHNSON, RPR, CRR, CLR<br/>19<br/>20<br/>21<br/>22<br/>23<br/>24<br/>25</p> <p>TSG Reporting - Worldwide (877) 702-9580</p> |
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1 ERRATA SHEET

2 NAME OF CASE: CARTER V. OCEAN BEACH

3 DATE OF DEPOSITION: AUGUST 11, 2009

4 NAME OF WITNESS: PAUL CAROLLO

5

6 Reason codes:

- 7 1. To clarify the record.
- 8 2. To conform to the facts
- 9 3. To correct the transcription

10 errors.

11 Page \_\_\_\_\_ Line \_\_\_\_\_ Reason \_\_\_\_\_

12 From \_\_\_\_\_ to \_\_\_\_\_

13 Page \_\_\_\_\_ Line \_\_\_\_\_ Reason \_\_\_\_\_

14 From \_\_\_\_\_ to \_\_\_\_\_

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25 PAUL CAROLLO

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|                                  |                                  |                                  |                                  |                               |
|----------------------------------|----------------------------------|----------------------------------|----------------------------------|-------------------------------|
| 19:23<br><b>2:03:21PM (1)</b>    | 22:5<br><b>2:06:09PM (1)</b>     | 24:24<br><b>2:09:05PM (1)</b>    | 27:23<br><b>2:11:42PM (1)</b>    | 30:5<br><b>2:14:06PM (1)</b>  |
| 19:24<br><b>2:03:29PM (1)</b>    | 22:6<br><b>2:06:19PM (1)</b>     | 25:2<br><b>2:09:15PM (1)</b>     | 27:24<br><b>2:11:50PM (1)</b>    | 30:6<br><b>2:14:10PM (1)</b>  |
| 19:25<br><b>2:03:41PM (1)</b>    | 22:9<br><b>2:06:25PM (1)</b>     | 25:5<br><b>2:09:25PM (1)</b>     | 28:3<br><b>2:11:53PM (1)</b>     | 30:7<br><b>2:14:13PM (1)</b>  |
| 20:3<br><b>2:03:47PM (1)</b>     | 22:11<br><b>2:06:31PM (1)</b>    | 25:6<br><b>2:09:44PM (2)</b>     | 28:5<br><b>2:11:56PM (1)</b>     | 30:9<br><b>2:14:14PM (1)</b>  |
| 20:5<br><b>2:03:55PM (1)</b>     | 22:13<br><b>2:06:35PM (1)</b>    | 25:13,14<br><b>2:09:53PM (2)</b> | 28:6<br><b>2:12:01PM (2)</b>     | 30:10<br><b>2:14:20PM (1)</b> |
| 20:7<br><b>2:03:59PM (1)</b>     | 22:14<br><b>2:06:40PM (1)</b>    | 25:17,18<br><b>2:09:59PM (1)</b> | 28:9,10<br><b>2:12:07PM (1)</b>  | 30:12<br><b>2:14:33PM (1)</b> |
| 20:8<br><b>2:04:01PM (1)</b>     | 22:17<br><b>2:06:48PM (1)</b>    | 25:20<br><b>2:10:03PM (1)</b>    | 28:12<br><b>2:12:15PM (1)</b>    | 30:15<br><b>2:14:36PM (1)</b> |
| 20:9<br><b>2:04:02PM (2)</b>     | 22:19<br><b>2:06:52PM (1)</b>    | 25:22<br><b>2:10:11PM (2)</b>    | 28:15<br><b>2:12:20PM (1)</b>    | 30:16<br><b>2:14:45PM (1)</b> |
| 20:10,11<br><b>2:04:06PM (1)</b> | 22:21<br><b>2:06:53PM (1)</b>    | 26:2,3<br><b>2:10:15PM (1)</b>   | 28:17<br><b>2:12:30PM (1)</b>    | 30:20<br><b>2:15:07PM (1)</b> |
| 20:13<br><b>2:04:18PM (1)</b>    | 22:22<br><b>2:06:58PM (1)</b>    | 26:5<br><b>2:10:18PM (2)</b>     | 28:19<br><b>2:12:33PM (1)</b>    | 30:21<br><b>2:15:20PM (1)</b> |
| 20:14<br><b>2:04:28PM (1)</b>    | 22:24<br><b>2:07:05PM (1)</b>    | 26:8,9<br><b>2:10:23PM (2)</b>   | 28:20<br><b>2:12:34PM (1)</b>    | 30:24<br><b>2:15:22PM (1)</b> |
| 20:16<br><b>2:04:42PM (1)</b>    | 22:25<br><b>2:07:23PM (1)</b>    | 26:11,12<br><b>2:10:41PM (1)</b> | 28:21<br><b>2:12:48PM (1)</b>    | 30:25<br><b>2:15:31PM (1)</b> |
| 20:18<br><b>2:04:39PM (1)</b>    | 23:3<br><b>2:07:12PM (1)</b>     | 26:15<br><b>2:10:30PM (1)</b>    | 28:22<br><b>2:12:40PM (1)</b>    | 31:4<br><b>2:15:30PM (1)</b>  |
| 20:20<br><b>2:04:45PM (1)</b>    | 23:6<br><b>2:07:25PM (1)</b>     | 26:16<br><b>2:10:46PM (2)</b>    | 28:24<br><b>2:12:53PM (1)</b>    | 31:5<br><b>2:15:35PM (1)</b>  |
| 20:21<br><b>2:04:57PM (1)</b>    | 23:7<br><b>2:07:29PM (1)</b>     | 26:19,20<br><b>2:10:50PM (1)</b> | 28:25<br><b>2:13:00PM (1)</b>    | 31:6<br><b>2:15:36PM (1)</b>  |
| 20:25<br><b>2:04:58PM (1)</b>    | 23:10<br><b>2:07:31PM (1)</b>    | 26:22<br><b>2:10:51PM (1)</b>    | 29:4<br><b>2:13:08PM (1)</b>     | 31:7<br><b>2:15:38PM (1)</b>  |
| 21:2<br><b>2:05:00PM (1)</b>     | 23:12<br><b>2:07:34PM (1)</b>    | 26:23<br><b>2:10:52PM (1)</b>    | 29:7<br><b>2:13:12PM (1)</b>     | 31:8<br><b>2:15:40PM (1)</b>  |
| 21:3<br><b>2:05:10PM (1)</b>     | 23:13<br><b>2:07:39PM (2)</b>    | 26:24<br><b>2:10:57PM (1)</b>    | 29:9<br><b>2:13:18PM (1)</b>     | 31:9<br><b>2:15:46PM (1)</b>  |
| 21:6<br><b>2:05:11PM (1)</b>     | 23:16,17<br><b>2:07:43PM (1)</b> | 27:2<br><b>2:10:58PM (1)</b>     | 29:11<br><b>2:13:20PM (2)</b>    | 31:11<br><b>2:15:48PM (1)</b> |
| 21:7<br><b>2:05:21PM (1)</b>     | 23:19<br><b>2:07:49PM (1)</b>    | 27:3<br><b>2:11:05PM (1)</b>     | 29:12,13<br><b>2:13:23PM (1)</b> | 31:12<br><b>2:15:50PM (1)</b> |
| 21:10<br><b>2:05:31PM (1)</b>    | 23:21<br><b>2:07:57PM (1)</b>    | 27:5<br><b>2:11:06PM (1)</b>     | 29:14<br><b>2:13:33PM (1)</b>    | 31:13<br><b>2:16:01PM (1)</b> |
| 21:15<br><b>2:05:38PM (1)</b>    | 23:22<br><b>2:07:58PM (1)</b>    | 27:6<br><b>2:11:16PM (2)</b>     | 29:17<br><b>2:13:35PM (1)</b>    | 31:16<br><b>2:16:08PM (1)</b> |
| 21:17<br><b>2:05:44PM (1)</b>    | 23:23<br><b>2:08:03PM (1)</b>    | 27:10,11<br><b>2:11:17PM (1)</b> | 29:18<br><b>2:13:43PM (1)</b>    | 31:19<br><b>2:16:09PM (1)</b> |
| 21:18<br><b>2:05:52PM (1)</b>    | 24:2<br><b>2:08:05PM (1)</b>     | 27:12<br><b>2:11:20PM (1)</b>    | 29:20<br><b>2:13:44PM (1)</b>    | 31:20<br><b>2:16:10PM (1)</b> |
| 21:21<br><b>2:05:59PM (1)</b>    | 24:3<br><b>2:08:38PM (1)</b>     | 27:13<br><b>2:11:21PM (2)</b>    | 29:21<br><b>2:13:45PM (1)</b>    | 31:21<br><b>2:16:22PM (1)</b> |
| 21:24<br><b>2:06:02PM (1)</b>    | 24:16<br><b>2:08:40PM (1)</b>    | 27:14,15<br><b>2:11:23PM (1)</b> | 29:22<br><b>2:13:47PM (1)</b>    | 31:22<br><b>2:16:31PM (1)</b> |
| 22:2<br><b>2:06:06PM (1)</b>     | 24:17<br><b>2:08:50PM (1)</b>    | 27:16<br><b>2:11:28PM (1)</b>    | 29:23<br><b>2:13:49PM (1)</b>    | 32:2<br><b>2:16:35PM (1)</b>  |
| 22:3<br><b>2:06:07PM (1)</b>     | 24:20<br><b>2:08:51PM (1)</b>    | 27:18<br><b>2:11:37PM (2)</b>    | 29:25<br><b>2:14:00PM (1)</b>    | 32:3<br><b>2:16:36PM (1)</b>  |
| 22:4<br><b>2:06:08PM (1)</b>     | 24:21<br><b>2:09:02PM (1)</b>    | 27:21,22<br><b>2:11:40PM (1)</b> | 30:2<br><b>2:14:05PM (1)</b>     | 32:4<br><b>2:16:47PM (1)</b>  |

|                                    |                               |                                        |                                      |                                  |
|------------------------------------|-------------------------------|----------------------------------------|--------------------------------------|----------------------------------|
| 32:8<br><b>2:16:48PM (1)</b>       | 34:19<br><b>2:19:11PM (1)</b> | 37:9<br><b>2:21:54PM (1)</b>           | 39:23,24<br><b>2:24:35PM (1)</b>     | 42:19<br><b>2:27:48PM (1)</b>    |
| 32:9<br><b>2:16:51PM (1)</b>       | 34:20<br><b>2:19:15PM (1)</b> | 37:13<br><b>2:21:58PM (1)</b>          | 40:2<br><b>2:25:13PM (1)</b>         | 42:23<br><b>2:27:49PM (1)</b>    |
| 32:11<br><b>2:16:54PM (2)</b>      | 34:22<br><b>2:19:18PM (1)</b> | 37:14<br><b>2:22:04PM (1)</b>          | 40:12<br><b>2:25:15PM (1)</b>        | 42:24<br><b>2:27:58PM (1)</b>    |
| 32:13,14<br><b>2:16:55PM (1)</b>   | 34:24<br><b>2:19:19PM (1)</b> | 37:15<br><b>2:22:21PM (4)</b>          | 40:13<br><b>2:25:19PM (1)</b>        | 43:3<br><b>2:27:59PM (1)</b>     |
| 32:15<br><b>2:16:59PM (1)</b>      | 34:25<br><b>2:19:25PM (1)</b> | 37:21,22,23,25<br><b>2:22:23PM (1)</b> | 40:15<br><b>2:25:23PM (1)</b>        | 43:4<br><b>2:28:07PM (1)</b>     |
| 32:18<br><b>2:17:00PM (1)</b>      | 35:3<br><b>2:19:32PM (1)</b>  | 38:2<br><b>2:22:34PM (1)</b>           | 40:17<br><b>2:25:36PM (1)</b>        | 43:6<br><b>2:28:16PM (1)</b>     |
| 32:19<br><b>2:17:04PM (1)</b>      | 35:7<br><b>2:19:34PM (1)</b>  | 38:5<br><b>2:22:35PM (1)</b>           | 40:21<br><b>2:25:37PM (1)</b>        | 43:9<br><b>2:28:17PM (1)</b>     |
| 32:21<br><b>2:17:05PM (1)</b>      | 35:8<br><b>2:19:35PM (1)</b>  | 38:6<br><b>2:22:42PM (1)</b>           | 40:22<br><b>2:25:40PM (1)</b>        | 43:10<br><b>2:28:18PM (1)</b>    |
| 32:22<br><b>2:17:06PM (1)</b>      | 35:9<br><b>2:19:41PM (1)</b>  | 38:9<br><b>2:22:50PM (1)</b>           | 40:23<br><b>2:25:42PM (3)</b>        | 43:12<br><b>2:28:24PM (1)</b>    |
| 32:23<br><b>2:17:10PM (2)</b>      | 35:10<br><b>2:19:48PM (1)</b> | 38:10<br><b>2:22:52PM (1)</b>          | 40:24 41:2,3<br><b>2:25:46PM (1)</b> | 43:13<br><b>2:28:31PM (1)</b>    |
| 32:25 33:2<br><b>2:17:14PM (1)</b> | 35:14<br><b>2:19:53PM (1)</b> | 38:11<br><b>2:23:01PM (2)</b>          | 41:5<br><b>2:25:48PM (1)</b>         | 43:15<br><b>2:28:34PM (1)</b>    |
| 33:3<br><b>2:17:30PM (1)</b>       | 35:15<br><b>2:19:54PM (1)</b> | 38:13,14<br><b>2:23:10PM (1)</b>       | 41:6<br><b>2:25:53PM (1)</b>         | 43:16<br><b>2:28:35PM (1)</b>    |
| 33:7<br><b>2:17:36PM (1)</b>       | 35:16<br><b>2:20:01PM (1)</b> | 38:16<br><b>2:23:20PM (1)</b>          | 41:8<br><b>2:25:54PM (1)</b>         | 43:17<br><b>2:28:46PM (2)</b>    |
| 33:9<br><b>2:17:37PM (1)</b>       | 35:20<br><b>2:20:04PM (1)</b> | 38:20<br><b>2:23:24PM (1)</b>          | 41:9<br><b>2:25:58PM (1)</b>         | 43:20,21<br><b>2:28:53PM (1)</b> |
| 33:10<br><b>2:17:47PM (1)</b>      | 35:21<br><b>2:20:14PM (1)</b> | 38:22<br><b>2:23:26PM (1)</b>          | 41:11<br><b>2:25:59PM (1)</b>        | 43:23<br><b>2:29:13PM (1)</b>    |
| 33:13<br><b>2:18:05PM (1)</b>      | 35:25<br><b>2:20:26PM (1)</b> | 38:25<br><b>2:23:35PM (1)</b>          | 41:12<br><b>2:26:04PM (1)</b>        | 44:6<br><b>2:29:28PM (1)</b>     |
| 33:19<br><b>2:18:18PM (1)</b>      | 36:5<br><b>2:20:27PM (1)</b>  | 39:2<br><b>2:23:39PM (1)</b>           | 41:14<br><b>2:26:05PM (1)</b>        | 44:11<br><b>2:29:31PM (1)</b>    |
| 33:22<br><b>2:18:20PM (1)</b>      | 36:6<br><b>2:20:32PM (1)</b>  | 39:5,6<br><b>2:23:44PM (2)</b>         | 41:15<br><b>2:26:12PM (1)</b>        | 44:12<br><b>2:29:34PM (1)</b>    |
| 33:23<br><b>2:18:24PM (1)</b>      | 36:8<br><b>2:20:34PM (1)</b>  | 39:5,6<br><b>2:23:49PM (1)</b>         | 41:17<br><b>2:26:15PM (1)</b>        | 44:14<br><b>2:29:41PM (1)</b>    |
| 33:25<br><b>2:18:25PM (1)</b>      | 36:9<br><b>2:20:48PM (1)</b>  | 39:8<br><b>2:23:52PM (1)</b>           | 41:19<br><b>2:26:20PM (1)</b>        | 44:16<br><b>2:29:42PM (1)</b>    |
| 34:2<br><b>2:18:26PM (1)</b>       | 36:13<br><b>2:20:55PM (1)</b> | 39:9<br><b>2:23:55PM (2)</b>           | 41:21<br><b>2:26:23PM (1)</b>        | 44:17<br><b>2:29:45PM (1)</b>    |
| 34:3<br><b>2:18:27PM (1)</b>       | 36:16<br><b>2:21:09PM (1)</b> | 39:10,11<br><b>2:23:56PM (1)</b>       | 41:22<br><b>2:26:28PM (1)</b>        | 44:18<br><b>2:29:52PM (1)</b>    |
| 34:4<br><b>2:18:29PM (1)</b>       | 36:20<br><b>2:21:18PM (1)</b> | 39:12<br><b>2:23:58PM (1)</b>          | 41:24<br><b>2:26:32PM (1)</b>        | 44:19<br><b>2:30:04PM (1)</b>    |
| 34:5<br><b>2:18:30PM (1)</b>       | 36:23<br><b>2:21:20PM (1)</b> | 39:14<br><b>2:24:03PM (1)</b>          | 41:25<br><b>2:26:35PM (1)</b>        | 44:24<br><b>2:30:05PM (1)</b>    |
| 34:6<br><b>2:18:33PM (1)</b>       | 36:24<br><b>2:21:24PM (1)</b> | 39:14<br><b>2:24:11PM (1)</b>          | 42:3<br><b>2:26:51PM (1)</b>         | 44:25<br><b>2:30:14PM (1)</b>    |
| 34:8<br><b>2:18:37PM (1)</b>       | 37:2<br><b>2:21:31PM (1)</b>  | 39:17<br><b>2:24:16PM (1)</b>          | 42:7<br><b>2:26:54PM (1)</b>         | 45:5<br><b>2:30:32PM (1)</b>     |
| 34:10<br><b>2:18:40PM (1)</b>      | 37:4<br><b>2:21:33PM (1)</b>  | 39:18<br><b>2:24:18PM (1)</b>          | 42:9<br><b>2:27:01PM (1)</b>         | 45:10<br><b>2:30:44PM (1)</b>    |
| 34:11<br><b>2:18:54PM (1)</b>      | 37:5<br><b>2:21:44PM (1)</b>  | 39:19<br><b>2:24:21PM (2)</b>          | 42:10<br><b>2:27:10PM (1)</b>        | 45:13<br><b>2:30:45PM (1)</b>    |
| 34:14<br><b>2:19:10PM (1)</b>      | 37:8<br><b>2:21:45PM (1)</b>  | 39:20,21<br><b>2:24:24PM (2)</b>       | 42:12<br><b>2:27:30PM (1)</b>        | 45:14<br><b>2:30:46PM (1)</b>    |

|                                  |                               |                                  |                               |                                  |
|----------------------------------|-------------------------------|----------------------------------|-------------------------------|----------------------------------|
| 45:15<br><b>2:30:50PM (1)</b>    | 47:25<br><b>2:33:37PM (1)</b> | 50:6<br><b>2:36:26PM (1)</b>     | 52:16<br><b>2:39:25PM (1)</b> | 54:15<br><b>2:41:40PM (1)</b>    |
| 45:17<br><b>2:30:54PM (1)</b>    | 48:2<br><b>2:33:38PM (1)</b>  | 50:8<br><b>2:36:45PM (1)</b>     | 52:17<br><b>2:39:36PM (1)</b> | 54:17<br><b>2:41:49PM (1)</b>    |
| 45:19<br><b>2:30:55PM (2)</b>    | 48:3<br><b>2:33:44PM (1)</b>  | 50:12<br><b>2:36:50PM (1)</b>    | 52:20<br><b>2:39:37PM (1)</b> | 54:19<br><b>2:41:57PM (1)</b>    |
| 45:20,21<br><b>2:30:58PM (1)</b> | 48:5<br><b>2:33:45PM (1)</b>  | 50:14<br><b>2:37:01PM (1)</b>    | 52:21<br><b>2:39:42PM (1)</b> | 54:20<br><b>2:41:59PM (1)</b>    |
| 45:23<br><b>2:31:04PM (1)</b>    | 48:6<br><b>2:33:56PM (1)</b>  | 50:17<br><b>2:37:02PM (1)</b>    | 52:23<br><b>2:39:48PM (1)</b> | 54:21<br><b>2:42:03PM (1)</b>    |
| 45:24<br><b>2:31:16PM (1)</b>    | 48:8<br><b>2:33:58PM (1)</b>  | 50:19<br><b>2:37:03PM (1)</b>    | 52:24<br><b>2:39:58PM (1)</b> | 54:23<br><b>2:42:33PM (2)</b>    |
| 46:4<br><b>2:31:17PM (1)</b>     | 48:9<br><b>2:34:15PM (1)</b>  | 50:20<br><b>2:37:12PM (1)</b>    | 53:2<br><b>2:40:05PM (1)</b>  | 55:2,3<br><b>2:42:36PM (1)</b>   |
| 46:5<br><b>2:31:24PM (1)</b>     | 48:12<br><b>2:34:22PM (1)</b> | 50:22<br><b>2:37:15PM (1)</b>    | 53:5<br><b>2:40:12PM (1)</b>  | 55:4<br><b>2:42:52PM (1)</b>     |
| 46:8<br><b>2:31:34PM (1)</b>     | 48:13<br><b>2:34:24PM (1)</b> | 50:23<br><b>2:37:16PM (1)</b>    | 53:8<br><b>2:40:14PM (1)</b>  | 55:8<br><b>2:43:00PM (1)</b>     |
| 46:10<br><b>2:31:35PM (1)</b>    | 48:14<br><b>2:34:28PM (1)</b> | 50:24<br><b>2:37:23PM (1)</b>    | 53:9<br><b>2:40:20PM (1)</b>  | 55:11<br><b>2:43:05PM (1)</b>    |
| 46:11<br><b>2:32:00PM (1)</b>    | 48:16<br><b>2:34:30PM (1)</b> | 50:25<br><b>2:37:26PM (1)</b>    | 53:11<br><b>2:40:29PM (1)</b> | 55:12<br><b>2:43:13PM (1)</b>    |
| 46:17<br><b>2:32:12PM (1)</b>    | 48:17<br><b>2:34:33PM (1)</b> | 51:2<br><b>2:37:27PM (1)</b>     | 53:12<br><b>2:40:43PM (1)</b> | 55:15<br><b>2:43:14PM (1)</b>    |
| 46:21<br><b>2:32:15PM (1)</b>    | 48:18<br><b>2:34:38PM (1)</b> | 51:3<br><b>2:37:30PM (1)</b>     | 53:16<br><b>2:40:44PM (1)</b> | 55:16<br><b>2:43:26PM (1)</b>    |
| 46:22<br><b>2:32:28PM (1)</b>    | 48:20<br><b>2:34:39PM (1)</b> | 51:5<br><b>2:37:46PM (1)</b>     | 53:18<br><b>2:40:45PM (1)</b> | 55:20<br><b>2:43:39PM (1)</b>    |
| 46:24<br><b>2:32:29PM (1)</b>    | 48:21<br><b>2:34:52PM (1)</b> | 51:6<br><b>2:37:52PM (2)</b>     | 53:19<br><b>2:40:46PM (1)</b> | 55:21<br><b>2:43:47PM (1)</b>    |
| 46:25<br><b>2:32:35PM (1)</b>    | 49:3<br><b>2:34:53PM (1)</b>  | 51:9,10<br><b>2:37:55PM (1)</b>  | 53:20<br><b>2:40:48PM (1)</b> | 55:25<br><b>2:43:53PM (1)</b>    |
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| 47:19<br><b>2:33:27PM (1)</b>    | 49:18<br><b>2:35:36PM (1)</b> | 52:2<br><b>2:38:58PM (1)</b>     | 54:7<br><b>2:41:18PM (1)</b>  | 56:15<br><b>2:44:22PM (1)</b>    |
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| 79:19<br><b>3:19:43PM (1)</b> | 82:22<br><b>3:32:39PM (1)</b>    | 85:11<br><b>3:37:06PM (1)</b> | 87:23<br><b>3:40:30PM (1)</b>    | 90:25<br><b>3:44:22PM (1)</b>    |
| 79:20<br><b>3:19:45PM (1)</b> | 82:23<br><b>3:32:51PM (1)</b>    | 85:12<br><b>3:37:12PM (1)</b> | 88:6<br><b>3:40:41PM (1)</b>     | 91:2<br><b>3:44:25PM (1)</b>     |
| 79:21<br><b>3:19:52PM (1)</b> | 82:25<br><b>3:32:55PM (1)</b>    | 85:15<br><b>3:37:13PM (1)</b> | 88:8<br><b>3:41:29PM (1)</b>     | 91:3<br><b>3:44:27PM (1)</b>     |
| 79:24<br><b>3:19:57PM (1)</b> | 83:3<br><b>3:32:56PM (1)</b>     | 85:16<br><b>3:37:19PM (1)</b> | 88:20<br><b>3:41:38PM (1)</b>    | 91:4<br><b>3:44:31PM (1)</b>     |
| 80:2<br><b>3:20:10PM (1)</b>  | 83:4<br><b>3:33:10PM (1)</b>     | 85:19<br><b>3:37:21PM (1)</b> | 88:23<br><b>3:41:43PM (1)</b>    | 91:6<br><b>3:44:34PM (1)</b>     |
| 80:6<br><b>3:20:11PM (1)</b>  | 83:7<br><b>3:33:16PM (1)</b>     | 85:20<br><b>3:37:36PM (1)</b> | 88:25<br><b>3:41:51PM (1)</b>    | 91:8<br><b>3:44:39PM (1)</b>     |
| 80:7<br><b>3:20:18PM (1)</b>  | 83:10<br><b>3:33:17PM (2)</b>    | 85:22<br><b>3:37:45PM (1)</b> | 89:3<br><b>3:41:53PM (1)</b>     | 91:10<br><b>3:44:40PM (1)</b>    |
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| 80:22<br><b>3:20:59PM (1)</b> | 83:18<br><b>3:33:45PM (1)</b>    | 86:8<br><b>3:38:04PM (1)</b>  | 89:14<br><b>3:42:37PM (1)</b>    | 91:20<br><b>3:45:08PM (1)</b>    |
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| 80:25<br><b>3:21:15PM (1)</b> | 83:21<br><b>3:33:54PM (1)</b>    | 86:13<br><b>3:38:18PM (1)</b> | 89:17<br><b>3:42:56PM (1)</b>    | 91:23<br><b>3:45:14PM (1)</b>    |
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| 81:17<br><b>3:21:55PM (1)</b> | 84:4<br><b>3:34:28PM (1)</b>     | 86:24<br><b>3:39:01PM (1)</b> | 90:3<br><b>3:43:37PM (1)</b>     | 92:9<br><b>3:46:01PM (1)</b>     |
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| 82:12<br><b>3:22:34PM (1)</b> | 84:21<br><b>3:36:16PM (1)</b>    | 87:14<br><b>3:39:43PM (1)</b> | 90:20<br><b>3:44:07PM (1)</b>    | 93:6<br><b>3:46:53PM (1)</b>     |
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| 112:3<br><b>4:13:45PM (1)</b>     | 114:15<br><b>4:16:10PM (1)</b> | 118:5<br><b>4:21:15PM (1)</b>     | 121:13<br><b>4:25:16PM (1)</b>    | 124:11<br><b>4:29:30PM (1)</b>  |
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| 112:14<br><b>4:14:13PM (1)</b>    | 115:8<br><b>4:17:06PM (1)</b>  | 118:15<br><b>4:21:38PM (1)</b>    | 121:19<br><b>4:25:59PM (2)</b>    | 125:2<br><b>4:30:10PM (1)</b>   |
| 112:15<br><b>4:14:14PM (1)</b>    | 115:10<br><b>4:17:18PM (1)</b> | 118:16<br><b>4:21:40PM (1)</b>    | 121:22,23<br><b>4:26:03PM (1)</b> | 125:7<br><b>4:30:14PM (1)</b>   |
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| 112:18<br><b>4:14:23PM (1)</b>    | 115:19<br><b>4:17:31PM (1)</b> | 118:20<br><b>4:21:56PM (1)</b>    | 122:2<br><b>4:26:15PM (1)</b>     | 125:10<br><b>4:30:23PM (1)</b>  |
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| 154:17,18            | 157:6                | 159:17               | 161:25               | 164:14               |
| <b>5:14:16PM (1)</b> | <b>5:17:20PM (1)</b> | <b>5:21:37PM (1)</b> | <b>5:24:33PM (1)</b> | <b>5:27:22PM (2)</b> |
| 154:19               | 157:8                | 159:20               | 162:3                | 164:15,16            |
| <b>5:14:28PM (1)</b> | <b>5:17:22PM (1)</b> | <b>5:21:39PM (1)</b> | <b>5:24:38PM (1)</b> | <b>5:27:24PM (1)</b> |
| 154:23               | 157:9                | 159:21               | 162:4                | 164:18               |
| <b>5:14:29PM (1)</b> | <b>5:17:26PM (1)</b> | <b>5:21:41PM (1)</b> | <b>5:24:57PM (1)</b> | <b>5:27:25PM (1)</b> |
| 154:24               | 157:12               | 159:22               | 162:9                | 164:19               |
| <b>5:14:34PM (1)</b> | <b>5:17:27PM (1)</b> | <b>5:21:42PM (1)</b> | <b>5:25:07PM (1)</b> | <b>5:27:30PM (1)</b> |
| 155:3                | 157:13               | 159:23               | 162:12               | 164:21               |
| <b>5:14:35PM (1)</b> | <b>5:17:29PM (2)</b> | <b>5:21:44PM (1)</b> | <b>5:25:21PM (1)</b> | <b>5:27:46PM (2)</b> |
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| <b>5:14:37PM (1)</b> | <b>5:18:36PM (1)</b> | <b>5:21:46PM (1)</b> | <b>5:25:22PM (1)</b> | <b>5:27:56PM (1)</b> |
| 155:5                | 157:16               | 160:2                | 162:18               | 165:7                |
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| <b>5:14:42PM (1)</b> | <b>5:19:39PM (2)</b> | <b>5:21:50PM (1)</b> | <b>5:25:44PM (1)</b> | <b>5:28:04PM (1)</b> |
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| <b>5:15:21PM (1)</b> | <b>5:20:01PM (1)</b> | <b>5:22:21PM (1)</b> | <b>5:26:21PM (1)</b> | <b>5:28:32PM (1)</b> |
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| 155:18               | 158:13               | 160:15               | 163:12               | 165:23               |
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| 155:21               | 158:19               | 160:17               | 163:14               | 165:24               |
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| 155:24               | 158:23               | 160:22               | 163:15               | 166:3                |
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| 155:25               | 158:25               | 160:24               | 163:16               | 166:4                |
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| 156:20               | 159:10               | 161:11               | 164:5                | 166:14               |
| <b>5:16:57PM (1)</b> | <b>5:21:10PM (1)</b> | <b>5:24:00PM (1)</b> | <b>5:27:05PM (1)</b> | <b>5:29:32PM (1)</b> |
| 156:22               | 159:11               | 161:17               | 164:7                | 166:17               |
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| 156:23               | 159:12               | 161:20               | 164:8                | 166:18               |

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| 166:19               | 169:10               | 172:8                | 175:14               | 178:12               |
| <b>5:29:37PM (1)</b> | <b>5:32:07PM (1)</b> | <b>5:35:10PM (1)</b> | <b>5:39:35PM (1)</b> | <b>5:43:38PM (1)</b> |
| 166:20               | 169:12               | 172:10               | 175:15               | 178:17               |
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| <b>5:29:44PM (1)</b> | <b>5:32:26PM (1)</b> | <b>5:35:28PM (1)</b> | <b>5:40:04PM (1)</b> | <b>5:43:49PM (2)</b> |
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| 166:25               | 169:20               | 172:21               | 176:2                | 178:24               |
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| 167:3                | 169:24               | 172:22,23            | 176:3                | 179:3                |
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| 167:6                | 169:25               | 173:13               | 176:8                | 179:4                |
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| 167:7                | 170:2                | 173:15               | 176:9                | 179:5                |
| <b>5:30:13PM (1)</b> | <b>5:32:37PM (1)</b> | <b>5:37:14PM (1)</b> | <b>5:40:42PM (1)</b> | <b>5:43:59PM (1)</b> |
| 167:9                | 170:3                | 173:16               | 176:13               | 179:6                |
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| 167:13               | 170:6                | 173:19               | 176:15               | 179:9                |
| <b>5:30:27PM (1)</b> | <b>5:32:43PM (1)</b> | <b>5:37:23PM (1)</b> | <b>5:40:53PM (1)</b> | <b>5:44:09PM (1)</b> |
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| <b>5:30:32PM (1)</b> | <b>5:33:08PM (1)</b> | <b>5:37:27PM (1)</b> | <b>5:41:13PM (1)</b> | <b>5:44:27PM (1)</b> |
| 167:19               | 170:16               | 173:24               | 176:22               | 179:16               |
| <b>5:30:33PM (1)</b> | <b>5:33:27PM (1)</b> | <b>5:37:33PM (1)</b> | <b>5:41:23PM (1)</b> | <b>5:44:39PM (1)</b> |
| 167:20               | 170:20               | 173:25               | 176:25               | 179:19               |
| <b>5:30:40PM (1)</b> | <b>5:33:50PM (1)</b> | <b>5:37:37PM (1)</b> | <b>5:41:36PM (1)</b> | <b>5:44:40PM (1)</b> |
| 167:23               | 170:25               | 174:3                | 177:4                | 179:20               |
| <b>5:30:57PM (1)</b> | <b>5:33:54PM (1)</b> | <b>5:37:38PM (1)</b> | <b>5:41:51PM (1)</b> | <b>5:44:45PM (1)</b> |
| 168:4                | 171:3                | 174:4                | 177:9                | 179:22               |
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| <b>5:31:03PM (1)</b> | <b>5:34:15PM (1)</b> | <b>5:38:26PM (1)</b> | <b>5:41:55PM (1)</b> | <b>5:45:10PM (1)</b> |
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| <b>5:31:14PM (1)</b> | <b>5:34:23PM (1)</b> | <b>5:38:32PM (1)</b> | <b>5:42:25PM (1)</b> | <b>5:45:11PM (1)</b> |
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| <b>5:31:22PM (1)</b> | <b>5:34:31PM (1)</b> | <b>5:38:41PM (1)</b> | <b>5:42:32PM (1)</b> | <b>5:45:22PM (1)</b> |
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| 168:21               | 171:20               | 174:25               | 177:21               | 180:14               |
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| <b>5:31:44PM (1)</b> | <b>5:34:45PM (1)</b> | <b>5:39:22PM (1)</b> | <b>5:43:05PM (1)</b> | <b>5:46:27PM (1)</b> |
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| <b>5:31:47PM (1)</b> | <b>5:34:55PM (1)</b> | <b>5:39:24PM (1)</b> | <b>5:43:13PM (1)</b> | <b>5:46:30PM (1)</b> |
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| <b>5:31:55PM (1)</b> | <b>5:34:58PM (1)</b> | <b>5:39:25PM (1)</b> | <b>5:43:14PM (2)</b> | <b>5:46:33PM (1)</b> |
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| 180:25               | 183:9                | 185:25               | 188:16               | 191:15                |
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| <b>5:47:04PM (1)</b> | <b>5:50:49PM (1)</b> | <b>5:53:23PM (1)</b> | <b>5:56:58PM (1)</b> | <b>5:59:52PM (1)</b>  |
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| 182:15               | 185:4                | 187:22,23            | 190:15               | 192:3                 |
| <b>5:49:34PM (1)</b> | <b>5:52:28PM (1)</b> | <b>5:55:11PM (1)</b> | <b>5:58:15PM (1)</b> | <b>6:00:03PM (1)</b>  |
| 182:16               | 185:5                | 187:25               | 190:16               | 192:4                 |
| <b>5:49:46PM (1)</b> | <b>5:52:29PM (1)</b> | <b>5:55:12PM (2)</b> | <b>5:58:21PM (1)</b> | <b>6:00:05PM (1)</b>  |
| 182:18               | 185:6                | 188:2,3              | 190:19               | 192:6                 |
| <b>5:49:48PM (1)</b> | <b>5:52:31PM (1)</b> | <b>5:55:15PM (1)</b> | <b>5:58:39PM (1)</b> | <b>6:00:09PM (1)</b>  |
| 182:20               | 185:7                | 188:4                | 190:24               | 192:8                 |
| <b>5:49:53PM (1)</b> | <b>5:52:36PM (1)</b> | <b>5:55:16PM (1)</b> | <b>5:58:48PM (1)</b> | <b>6:00:10PM (2)</b>  |
| 182:22               | 185:8                | 188:5                | 191:2                | 192:9,10              |
| <b>5:49:55PM (1)</b> | <b>5:52:45PM (1)</b> | <b>5:55:21PM (1)</b> | <b>5:59:03PM (1)</b> | <b>6:00:17PM (1)</b>  |
| 182:24               | 185:12               | 188:8                | 191:5                | 192:12                |
| <b>5:49:56PM (1)</b> | <b>5:52:48PM (1)</b> | <b>5:55:23PM (1)</b> | <b>5:59:15PM (1)</b> | <b>6:00:23PM (1)</b>  |
| 182:25               | 185:14               | 188:9                | 191:9                | 192:16                |
| <b>5:50:11PM (1)</b> | <b>5:52:54PM (1)</b> | <b>5:55:29PM (1)</b> | <b>5:59:20PM (1)</b> | <b>6:00:29PM (1)</b>  |
| 183:3                | 185:17               | 188:11               | 191:11               | 192:19                |
| <b>5:50:26PM (1)</b> | <b>5:52:55PM (1)</b> | <b>5:55:30PM (1)</b> | <b>5:59:23PM (1)</b> | <b>6:00:34PM (2)</b>  |
| 183:4                | 185:18               | 188:12               | 191:13               | 192:22,23             |
| <b>5:50:37PM (2)</b> | <b>5:53:00PM (1)</b> | <b>5:55:41PM (1)</b> | <b>5:59:25PM (1)</b> | <b>6:00:35PM (1)</b>  |
| 183:7,8              | 185:19               | 188:15               | 191:14               |                       |

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|----------------------|----------------------|----------------------|----------------------|----------------------|
| 192:24               | 195:12               | 197:20               | 200:6                | 203:14               |
| <b>6:00:37PM (1)</b> | <b>6:03:29PM (1)</b> | <b>6:07:52PM (1)</b> | <b>6:11:45PM (1)</b> | <b>6:15:57PM (1)</b> |
| 193:2                | 195:14               | 197:22               | 200:7                | 203:15               |
| <b>6:00:41PM (1)</b> | <b>6:03:46PM (1)</b> | <b>6:07:53PM (1)</b> | <b>6:11:52PM (1)</b> | <b>6:16:04PM (1)</b> |
| 193:3                | 195:19               | 197:23               | 200:10               | 203:17               |
| <b>6:00:49PM (1)</b> | <b>6:03:54PM (1)</b> | <b>6:07:57PM (1)</b> | <b>6:12:33PM (1)</b> | <b>6:16:05PM (1)</b> |
| 193:6                | 195:22               | 197:25               | 200:18               | 203:18               |
| <b>6:00:50PM (1)</b> | <b>6:04:07PM (1)</b> | <b>6:08:00PM (1)</b> | <b>6:12:35PM (1)</b> | <b>6:16:12PM (1)</b> |
| 193:7                | 195:23               | 198:2                | 200:19               | 203:21               |
| <b>6:00:51PM (1)</b> | <b>6:04:12PM (1)</b> | <b>6:08:04PM (1)</b> | <b>6:12:37PM (1)</b> | <b>6:16:13PM (2)</b> |
| 193:8                | 195:25               | 198:3                | 200:20               | 203:22,23            |
| <b>6:00:52PM (1)</b> | <b>6:04:14PM (1)</b> | <b>6:08:11PM (1)</b> | <b>6:12:41PM (1)</b> | <b>6:16:15PM (1)</b> |
| 193:9                | 196:2                | 198:7                | 200:21               | 203:24               |
| <b>6:00:59PM (1)</b> | <b>6:04:15PM (2)</b> | <b>6:08:12PM (1)</b> | <b>6:12:54PM (1)</b> | <b>6:16:18PM (1)</b> |
| 193:11               | 196:3,4              | 198:8                | 200:24               | 204:2                |
| <b>6:01:05PM (1)</b> | <b>6:04:16PM (1)</b> | <b>6:08:52PM (1)</b> | <b>6:12:58PM (1)</b> | <b>6:16:23PM (1)</b> |
| 193:13               | 196:5                | 198:10               | 200:25               | 204:4                |
| <b>6:01:10PM (1)</b> | <b>6:04:25PM (2)</b> | <b>6:09:05PM (1)</b> | <b>6:13:01PM (1)</b> | <b>6:16:26PM (1)</b> |
| 193:16               | 196:6,7              | 198:16               | 201:3                | 204:6                |
| <b>6:01:13PM (1)</b> | <b>6:04:52PM (1)</b> | <b>6:09:44PM (1)</b> | <b>6:13:03PM (1)</b> | <b>6:16:36PM (1)</b> |
| 193:18               | 196:10               | 198:17               | 201:4                | 204:10               |
| <b>6:01:24PM (1)</b> | <b>6:04:56PM (1)</b> | <b>6:10:16PM (1)</b> | <b>6:13:08PM (1)</b> | <b>6:16:45PM (1)</b> |
| 193:21               | 196:12               | 198:18               | 201:6                | 204:13               |
| <b>6:01:32PM (1)</b> | <b>6:05:11PM (1)</b> | <b>6:10:26PM (1)</b> | <b>6:13:56PM (1)</b> | <b>6:16:48PM (1)</b> |
| 193:23               | 196:13               | 198:21               | 201:17               | 204:14               |
| <b>6:01:33PM (1)</b> | <b>6:05:32PM (1)</b> | <b>6:10:27PM (1)</b> | <b>6:14:04PM (1)</b> | <b>6:17:02PM (1)</b> |
| 193:24               | 196:15               | 198:22               | 201:19               | 204:18               |
| <b>6:01:38PM (1)</b> | <b>6:05:33PM (1)</b> | <b>6:10:45PM (1)</b> | <b>6:14:06PM (1)</b> | <b>6:17:07PM (1)</b> |
| 194:2                | 196:16               | 198:25               | 201:20               | 204:21               |
| <b>6:01:44PM (1)</b> | <b>6:05:34PM (1)</b> | <b>6:10:49PM (1)</b> | <b>6:14:20PM (1)</b> | <b>6:17:10PM (1)</b> |
| 194:3                | 196:17               | 199:3                | 201:23               | 204:23               |
| <b>6:02:06PM (1)</b> | <b>6:05:38PM (1)</b> | <b>6:10:50PM (1)</b> | <b>6:14:27PM (1)</b> | <b>6:17:16PM (1)</b> |
| 194:9                | 196:18               | 199:4                | 202:3                | 205:2                |
| <b>6:02:08PM (1)</b> | <b>6:06:17PM (1)</b> | <b>6:10:51PM (1)</b> | <b>6:14:29PM (1)</b> | <b>6:17:19PM (1)</b> |
| 194:10               | 196:20               | 199:5                | 202:4                | 205:4                |
| <b>6:02:13PM (1)</b> | <b>6:06:23PM (1)</b> | <b>6:10:54PM (1)</b> | <b>6:14:32PM (1)</b> | <b>6:17:21PM (1)</b> |
| 194:12               | 196:23               | 199:6                | 202:6                | 205:5                |
| <b>6:02:15PM (1)</b> | <b>6:06:24PM (1)</b> | <b>6:10:56PM (1)</b> | <b>6:14:39PM (1)</b> | <b>6:17:50PM (1)</b> |
| 194:13               | 196:24               | 199:8                | 202:9                | 205:11               |
| <b>6:02:17PM (1)</b> | <b>6:06:34PM (1)</b> | <b>6:10:57PM (1)</b> | <b>6:14:48PM (1)</b> | <b>6:17:53PM (1)</b> |
| 194:14               | 197:3                | 199:9                | 202:13               | 205:13               |
| <b>6:02:30PM (3)</b> | <b>6:06:44PM (1)</b> | <b>6:10:59PM (1)</b> | <b>6:14:53PM (1)</b> | <b>6:18:18PM (1)</b> |
| 194:18,19,20         | 197:5                | 199:10               | 202:16               | 205:16               |
| <b>6:02:36PM (1)</b> | <b>6:06:50PM (1)</b> | <b>6:11:10PM (1)</b> | <b>6:15:00PM (1)</b> | <b>6:18:28PM (1)</b> |
| 194:22               | 197:7                | 199:14               | 202:19               | 205:19               |
| <b>6:02:40PM (2)</b> | <b>6:06:58PM (1)</b> | <b>6:11:17PM (1)</b> | <b>6:15:02PM (1)</b> | <b>6:18:42PM (1)</b> |
| 194:24,25            | 197:10               | 199:17               | 202:21               | 205:22               |
| <b>6:02:48PM (1)</b> | <b>6:07:14PM (1)</b> | <b>6:11:20PM (2)</b> | <b>6:15:11PM (1)</b> | <b>6:18:44PM (1)</b> |
| 195:2                | 197:11               | 199:18,19            | 202:25               | 205:23               |
| <b>6:02:56PM (1)</b> | <b>6:07:16PM (1)</b> | <b>6:11:27PM (1)</b> | <b>6:15:24PM (1)</b> | <b>6:18:47PM (1)</b> |
| 195:5                | 197:13               | 199:22               | 203:5                | 205:24               |
| <b>6:03:11PM (1)</b> | <b>6:07:18PM (1)</b> | <b>6:11:28PM (1)</b> | <b>6:15:25PM (1)</b> | <b>6:18:49PM (1)</b> |
| 195:7                | 197:14               | 199:23               | 203:6                | 205:25               |
| <b>6:03:13PM (1)</b> | <b>6:07:39PM (1)</b> | <b>6:11:31PM (1)</b> | <b>6:15:31PM (1)</b> | <b>6:18:50PM (1)</b> |
| 195:8                | 197:16               | 199:24               | 203:9                | 206:2                |
| <b>6:03:16PM (1)</b> | <b>6:07:46PM (1)</b> | <b>6:11:38PM (1)</b> | <b>6:15:41PM (1)</b> | <b>6:18:52PM (1)</b> |
| 195:9                | 197:19               | 200:4                | 203:11               | 206:3                |
| <b>6:03:24PM (1)</b> | <b>6:07:50PM (1)</b> | <b>6:11:42PM (1)</b> | <b>6:15:55PM (1)</b> | <b>6:18:56PM (1)</b> |

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|----------------------|----------------------|----------------------|----------------------|----------------------|
| 206:6                | 208:17               | 212:7                | 215:21               | 218:17               |
| <b>6:18:58PM (1)</b> | <b>6:21:59PM (1)</b> | <b>6:25:54PM (1)</b> | <b>6:37:19PM (1)</b> | <b>6:40:52PM (1)</b> |
| 206:7                | 208:22               | 212:8                | 215:22               | 218:19               |
| <b>6:19:00PM (1)</b> | <b>6:22:05PM (1)</b> | <b>6:26:08PM (1)</b> | <b>6:37:30PM (1)</b> | <b>6:40:55PM (1)</b> |
| 206:8                | 208:24               | 212:13               | 215:24               | 218:21               |
| <b>6:19:01PM (1)</b> | <b>6:22:28PM (1)</b> | <b>6:26:15PM (1)</b> | <b>6:37:52PM (1)</b> | <b>6:41:00PM (1)</b> |
| 206:9                | 209:10               | 212:16               | 216:7                | 218:22               |
| <b>6:19:02PM (1)</b> | <b>6:22:31PM (3)</b> | <b>6:26:18PM (1)</b> | <b>6:37:56PM (1)</b> | <b>6:41:05PM (1)</b> |
| 206:10               | 209:12,13,14         | 212:17               | 216:9                | 218:24               |
| <b>6:19:06PM (1)</b> | <b>6:22:41PM (1)</b> | <b>6:26:22PM (1)</b> | <b>6:37:57PM (1)</b> | <b>6:41:06PM (1)</b> |
| 206:12               | 209:16               | 212:18               | 216:10               | 218:25               |
| <b>6:19:08PM (1)</b> | <b>6:22:42PM (1)</b> | <b>6:26:39PM (1)</b> | <b>6:37:59PM (1)</b> | <b>6:41:08PM (1)</b> |
| 206:13               | 209:17               | 212:21               | 216:11               | 219:2                |
| <b>6:19:13PM (1)</b> | <b>6:22:46PM (1)</b> | <b>6:26:41PM (1)</b> | <b>6:38:05PM (1)</b> | <b>6:41:10PM (1)</b> |
| 206:15               | 209:19               | 212:22               | 216:13               | 219:3                |
| <b>6:19:14PM (1)</b> | <b>6:22:47PM (1)</b> | <b>6:26:42PM (1)</b> | <b>6:38:07PM (1)</b> | <b>6:41:22PM (1)</b> |
| 206:16               | 209:20               | 212:23               | 216:15               | 219:5                |
| <b>6:19:24PM (1)</b> | <b>6:22:53PM (1)</b> | <b>6:27:28PM (1)</b> | <b>6:38:18PM (1)</b> | <b>6:41:25PM (1)</b> |
| 206:18               | 209:23               | 213:13               | 216:17               | 219:7                |
| <b>6:19:26PM (1)</b> | <b>6:22:54PM (1)</b> | <b>6:27:36PM (1)</b> | <b>6:38:19PM (2)</b> | <b>6:41:27PM (1)</b> |
| 206:19               | 209:24               | 213:17               | 216:18,22            | 219:8                |
| <b>6:19:32PM (1)</b> | <b>6:22:55PM (1)</b> | <b>6:27:37PM (1)</b> | <b>6:38:21PM (1)</b> | <b>6:41:36PM (1)</b> |
| 206:22               | 209:25               | 213:19               | 216:23               | 219:11               |
| <b>6:19:43PM (1)</b> | <b>6:22:58PM (1)</b> | <b>6:28:13PM (1)</b> | <b>6:38:27PM (1)</b> | <b>6:41:37PM (1)</b> |
| 207:2                | 210:3                | 214:7                | 217:3                | 219:12               |
| <b>6:20:00PM (1)</b> | <b>6:23:24PM (1)</b> | <b>6:28:19PM (1)</b> | <b>6:38:34PM (1)</b> | <b>6:41:40PM (1)</b> |
| 207:6                | 210:8                | 214:9                | 217:4                | 219:13               |
| <b>6:20:03PM (1)</b> | <b>6:23:37PM (1)</b> | <b>6:33:46PM (1)</b> | <b>6:38:46PM (1)</b> | <b>6:41:41PM (1)</b> |
| 207:7                | 210:11               | 214:11               | 217:7                | 219:14               |
| <b>6:20:14PM (1)</b> | <b>6:23:38PM (1)</b> | <b>6:33:48PM (2)</b> | <b>6:38:54PM (1)</b> | <b>6:41:43PM (1)</b> |
| 207:12               | 210:12               | 214:13,16            | 217:9                | 219:15               |
| <b>6:20:16PM (1)</b> | <b>6:23:45PM (1)</b> | <b>6:35:31PM (1)</b> | <b>6:39:03PM (2)</b> | <b>6:41:44PM (1)</b> |
| 207:13               | 210:15               | 214:17               | 217:12,13            | 219:16               |
| <b>6:20:18PM (1)</b> | <b>6:23:47PM (1)</b> | <b>6:36:24PM (2)</b> | <b>6:39:06PM (1)</b> | <b>6:41:46PM (1)</b> |
| 207:14               | 210:16               | 214:23,24            | 217:15               | 219:18               |
| <b>6:20:19PM (1)</b> | <b>6:23:58PM (1)</b> | <b>6:36:29PM (1)</b> | <b>6:39:11PM (1)</b> | <b>6:41:53PM (1)</b> |
| 207:15               | 210:21               | 214:25               | 217:16               | 219:19               |
| <b>6:20:22PM (1)</b> | <b>6:24:05PM (1)</b> | <b>6:36:30PM (1)</b> | <b>6:39:19PM (1)</b> | <b>6:42:00PM (2)</b> |
| 207:17               | 210:23               | 215:2                | 217:19               | 219:20,21            |
| <b>6:20:24PM (1)</b> | <b>6:24:10PM (1)</b> | <b>6:36:37PM (1)</b> | <b>6:39:32PM (1)</b> | <b>6:42:02PM (1)</b> |
| 207:18               | 210:25               | 215:6                | 217:22               | 219:22               |
| <b>6:20:26PM (1)</b> | <b>6:24:14PM (1)</b> | <b>6:36:40PM (1)</b> | <b>6:39:39PM (1)</b> | <b>6:42:03PM (1)</b> |
| 207:19               | 211:3                | 215:7                | 217:24               | 219:23               |
| <b>6:20:29PM (1)</b> | <b>6:24:31PM (1)</b> | <b>6:36:45PM (1)</b> | <b>6:39:40PM (1)</b> | <b>6:42:11PM (1)</b> |
| 207:20               | 211:8                | 215:8                | 217:25               | 219:24               |
| <b>6:20:34PM (1)</b> | <b>6:24:40PM (2)</b> | <b>6:36:47PM (1)</b> | <b>6:39:50PM (1)</b> | <b>6:42:22PM (1)</b> |
| 207:22               | 211:10,11            | 215:9                | 218:3                | 220:4                |
| <b>6:20:41PM (1)</b> | <b>6:24:51PM (1)</b> | <b>6:36:49PM (1)</b> | <b>6:39:53PM (1)</b> | <b>6:42:26PM (2)</b> |
| 207:24               | 211:14               | 215:10               | 218:4                | 220:6,7              |
| <b>6:20:45PM (1)</b> | <b>6:25:13PM (1)</b> | <b>6:37:01PM (1)</b> | <b>6:40:09PM (1)</b> | <b>6:42:30PM (1)</b> |
| 207:25               | 211:20               | 215:13               | 218:8                | 220:9                |
| <b>6:21:06PM (1)</b> | <b>6:25:14PM (1)</b> | <b>6:37:07PM (1)</b> | <b>6:40:16PM (1)</b> | <b>6:42:32PM (1)</b> |
| 208:5                | 211:21               | 215:16               | 218:10               | 220:10               |
| <b>6:21:23PM (1)</b> | <b>6:25:15PM (1)</b> | <b>6:37:11PM (1)</b> | <b>6:40:21PM (1)</b> | <b>6:42:35PM (1)</b> |
| 208:11               | 211:22               | 215:18               | 218:12               | 220:12               |
| <b>6:21:25PM (1)</b> | <b>6:25:33PM (1)</b> | <b>6:37:14PM (1)</b> | <b>6:40:43PM (1)</b> | <b>6:42:37PM (1)</b> |
| 208:12               | 211:24               | 215:20               | 218:14               | 220:13               |
| <b>6:21:45PM (1)</b> | <b>6:25:50PM (1)</b> | <b>6:37:16PM (1)</b> | <b>6:40:50PM (1)</b> | <b>6:42:39PM (1)</b> |

|                      |                      |                      |                      |                      |
|----------------------|----------------------|----------------------|----------------------|----------------------|
| 220:14               | 222:19               | 225:8                | 227:18               | 232:2                |
| <b>6:42:45PM (1)</b> | <b>6:45:27PM (1)</b> | <b>6:48:57PM (1)</b> | <b>6:51:43PM (1)</b> | <b>6:56:16PM (2)</b> |
| 220:15               | 222:20               | 225:11               | 227:22               | 232:6,7              |
| <b>6:42:48PM (1)</b> | <b>6:45:32PM (1)</b> | <b>6:49:03PM (1)</b> | <b>6:52:05PM (1)</b> | <b>6:56:17PM (1)</b> |
| 220:16               | 222:22               | 225:13               | 228:4                | 232:8                |
| <b>6:42:49PM (1)</b> | <b>6:45:34PM (1)</b> | <b>6:49:06PM (1)</b> | <b>6:52:09PM (1)</b> | <b>6:56:23PM (1)</b> |
| 220:17               | 222:23               | 225:14               | 228:5                | 232:9                |
| <b>6:43:10PM (1)</b> | <b>6:45:42PM (1)</b> | <b>6:49:09PM (1)</b> | <b>6:52:20PM (1)</b> | <b>6:56:29PM (1)</b> |
| 220:19               | 222:24               | 225:15               | 228:10               | 232:12               |
| <b>6:43:12PM (1)</b> | <b>6:45:54PM (1)</b> | <b>6:49:21PM (1)</b> | <b>6:52:23PM (1)</b> | <b>6:56:31PM (1)</b> |
| 220:20               | 223:5                | 225:19               | 228:12               | 232:13               |
| <b>6:43:18PM (1)</b> | <b>6:46:08PM (1)</b> | <b>6:49:31PM (1)</b> | <b>6:52:24PM (1)</b> | <b>6:56:35PM (1)</b> |
| 220:22               | 223:8                | 225:21               | 228:13               | 232:14               |
| <b>6:43:20PM (1)</b> | <b>6:46:14PM (1)</b> | <b>6:49:40PM (1)</b> | <b>6:52:28PM (1)</b> | <b>6:56:59PM (1)</b> |
| 220:23               | 223:10               | 225:23               | 228:15               | 232:23               |
| <b>6:43:26PM (1)</b> | <b>6:46:19PM (1)</b> | <b>6:49:45PM (1)</b> | <b>6:52:31PM (1)</b> | <b>6:57:02PM (1)</b> |
| 221:2                | 223:13               | 225:25               | 228:16               | 233:2                |
| <b>6:43:28PM (1)</b> | <b>6:46:21PM (1)</b> | <b>6:49:55PM (1)</b> | <b>6:52:33PM (1)</b> | <b>6:57:04PM (1)</b> |
| 221:3                | 223:14               | 226:5                | 228:17               | 233:3                |
| <b>6:43:41PM (1)</b> | <b>6:46:23PM (1)</b> | <b>6:50 (1)</b>      | <b>6:52:38PM (1)</b> | <b>6:57:12PM (1)</b> |
| 221:5                | 223:15               | 227:23               | 228:19               | 233:7                |
| <b>6:44:02PM (1)</b> | <b>6:46:24PM (1)</b> | <b>6:50:00PM (1)</b> | <b>6:52:43PM (1)</b> | <b>6:57:27PM (1)</b> |
| 221:10               | 223:16               | 226:7                | 228:20               | 233:9                |
| <b>6:44:12PM (2)</b> | <b>6:46:30PM (1)</b> | <b>6:50:03PM (1)</b> | <b>6:52:46PM (1)</b> | <b>6:57:30PM (1)</b> |
| 221:13,14            | 223:18               | 226:8                | 228:22               | 233:11               |
| <b>6:44:14PM (1)</b> | <b>6:46:45PM (1)</b> | <b>6:50:06PM (1)</b> | <b>6:53:12PM (1)</b> | <b>6:57:32PM (1)</b> |
| 221:15               | 223:19               | 226:10               | 229:6                | 233:12               |
| <b>6:44:15PM (1)</b> | <b>6:46:57PM (1)</b> | <b>6:50:07PM (1)</b> | <b>6:53:14PM (1)</b> | <b>6:57:33PM (2)</b> |
| 221:17               | 223:23               | 226:11               | 229:8                | 233:13,15            |
| <b>6:44:17PM (1)</b> | <b>6:47:11PM (1)</b> | <b>6:50:15PM (1)</b> | <b>6:53:15PM (1)</b> | <b>6:59:03PM (1)</b> |
| 221:19               | 224:2                | 226:14               | 229:9                | 233:16               |
| <b>6:44:24PM (1)</b> | <b>6:47:24PM (1)</b> | <b>6:50:20PM (1)</b> | <b>6:53:19PM (1)</b> | <b>6:59:12PM (1)</b> |
| 221:21               | 224:6                | 226:15               | 229:11               | 233:18               |
| <b>6:44:25PM (1)</b> | <b>6:47:25PM (1)</b> | <b>6:50:21PM (1)</b> | <b>6:53:35PM (1)</b> | <b>6:59:30PM (2)</b> |
| 221:22               | 224:7                | 226:17               | 229:14               | 233:23,24            |
| <b>6:44:26PM (1)</b> | <b>6:47:31PM (1)</b> | <b>6:50:22PM (1)</b> | <b>6:53:37PM (2)</b> | <b>6:59:33PM (1)</b> |
| 221:23               | 224:8                | 226:18               | 229:16,17            | 233:25               |
| <b>6:44:30PM (1)</b> | <b>6:47:37PM (1)</b> | <b>6:50:26PM (1)</b> | <b>6:53:54PM (1)</b> | <b>6:59:45PM (1)</b> |
| 221:25               | 224:11               | 226:19               | 229:22               | 234:5                |
| <b>6:44:31PM (1)</b> | <b>6:47:41PM (1)</b> | <b>6:50:33PM (1)</b> | <b>6:53:58PM (1)</b> | <b>6:59:49PM (1)</b> |
| 222:2                | 224:12               | 226:22               | 229:24               | 234:6                |
| <b>6:44:32PM (1)</b> | <b>6:48:05PM (1)</b> | <b>6:50:37PM (1)</b> | <b>6:55:05PM (1)</b> | <b>6:59:54PM (1)</b> |
| 222:3                | 224:15               | 226:24               | 230:23               | 234:7                |
| <b>6:44:37PM (1)</b> | <b>6:48:11PM (1)</b> | <b>6:50:56PM (1)</b> | <b>6:55:08PM (2)</b> | <b>63 (2)</b>        |
| 222:4                | 224:16               | 227:4                | 231:2,3              | 208:18 292:15        |
| <b>6:44:49PM (1)</b> | <b>6:48:15PM (1)</b> | <b>6:51:03PM (1)</b> | <b>6:55:24PM (1)</b> | <b>67 (2)</b>        |
| 222:8                | 224:18               | 227:7                | 231:7                | 292:17,18            |
| <b>6:44:52PM (1)</b> | <b>6:48:17PM (1)</b> | <b>6:51:08PM (1)</b> | <b>6:55:27PM (1)</b> | <hr/> <b>7</b> <hr/> |
| 222:9                | 224:19               | 227:9                | 231:8                |                      |
| <b>6:44:55PM (1)</b> | <b>6:48:30PM (1)</b> | <b>6:51:12PM (1)</b> | <b>6:55:42PM (2)</b> | <b>7 (4)</b>         |
| 222:10               | 224:24               | 227:11               | 231:14,15            | 82:16,20,24 292:21   |
| <b>6:45:08PM (1)</b> | <b>6:48:33PM (1)</b> | <b>6:51:14PM (1)</b> | <b>6:55:44PM (1)</b> | <b>7:00:00PM (1)</b> |
| 222:14               | 224:25               | 227:12               | 231:16               | 234:9                |
| <b>6:45:13PM (1)</b> | <b>6:48:42PM (1)</b> | <b>6:51:16PM (1)</b> | <b>6:55:52PM (2)</b> | <b>7:00:04PM (1)</b> |
| 222:15               | 225:5                | 227:13               | 231:20,21            | 234:11               |
| <b>6:45:22PM (1)</b> | <b>6:48:43PM (2)</b> | <b>6:51:21PM (1)</b> | <b>6:56:05PM (1)</b> | <b>7:00:06PM (1)</b> |
| 222:18               | 225:6,7              | 227:16               | 231:25               | 234:12               |
| <b>6:45:26PM (1)</b> | <b>6:48:44PM (1)</b> | <b>6:51:33PM (1)</b> | <b>6:56:06PM (1)</b> | <b>7:00:15PM (1)</b> |

|                      |                      |                      |                      |                      |
|----------------------|----------------------|----------------------|----------------------|----------------------|
| 234:15               | 236:24               | 240:3                | 242:25               | 245:12               |
| <b>7:00:21PM (1)</b> | <b>7:02:42PM (2)</b> | <b>7:05:19PM (1)</b> | <b>7:08:32PM (1)</b> | <b>7:12:17PM (1)</b> |
| 234:17               | 237:2,3              | 240:4                | 243:3                | 245:14               |
| <b>7:00:30PM (1)</b> | <b>7:02:45PM (1)</b> | <b>7:05:23PM (1)</b> | <b>7:08:34PM (1)</b> | <b>7:12:30PM (1)</b> |
| 234:19               | 237:4                | 240:6                | 243:4                | 245:15               |
| <b>7:00:36PM (1)</b> | <b>7:02:47PM (1)</b> | <b>7:05:24PM (1)</b> | <b>7:08:40PM (1)</b> | <b>7:12:38PM (1)</b> |
| 234:21               | 237:5                | 240:7                | 243:6                | 245:16               |
| <b>7:00:38PM (1)</b> | <b>7:02:50PM (2)</b> | <b>7:05:27PM (1)</b> | <b>7:08:43PM (1)</b> | <b>7:12:57PM (1)</b> |
| 234:22               | 237:6,7              | 240:8                | 243:7                | 245:20               |
| <b>7:00:39PM (1)</b> | <b>7:02:55PM (1)</b> | <b>7:05:30PM (1)</b> | <b>7:08:47PM (1)</b> | <b>7:13:02PM (1)</b> |
| 234:23               | 237:9                | 240:9                | 243:9                | 245:22               |
| <b>7:00:46PM (1)</b> | <b>7:02:59PM (1)</b> | <b>7:05:31PM (2)</b> | <b>7:08:59PM (1)</b> | <b>7:13:09PM (1)</b> |
| 234:25               | 237:11               | 240:10,11            | 243:13               | 245:25               |
| <b>7:00:48PM (1)</b> | <b>7:03:00PM (1)</b> | <b>7:05:34PM (1)</b> | <b>7:09:02PM (1)</b> | <b>7:13:11PM (1)</b> |
| 235:2                | 237:12               | 240:13               | 243:14               | 246:2                |
| <b>7:00:59PM (1)</b> | <b>7:03:15PM (1)</b> | <b>7:05:35PM (1)</b> | <b>7:09:14PM (1)</b> | <b>7:13:13PM (1)</b> |
| 235:5                | 237:18               | 240:14               | 243:16               | 246:3                |
| <b>7:01:07PM (1)</b> | <b>7:03:19PM (1)</b> | <b>7:05:50PM (1)</b> | <b>7:09:21PM (1)</b> | <b>7:13:15PM (2)</b> |
| 235:8                | 237:21               | 240:16               | 243:19               | 246:5,6              |
| <b>7:01:09PM (2)</b> | <b>7:03:24PM (1)</b> | <b>7:06:50PM (1)</b> | <b>7:09:28PM (1)</b> | <b>7:13:17PM (1)</b> |
| 235:9,10             | 237:23               | 241:8                | 243:20               | 246:7                |
| <b>7:01:14PM (1)</b> | <b>7:03:26PM (1)</b> | <b>7:06:52PM (1)</b> | <b>7:09:31PM (1)</b> | <b>7:13:27PM (1)</b> |
| 235:12               | 237:24               | 241:10               | 243:21               | 246:9                |
| <b>7:01:15PM (1)</b> | <b>7:03:31PM (1)</b> | <b>7:06:54PM (1)</b> | <b>7:09:39PM (1)</b> | <b>7:13:40PM (1)</b> |
| 235:13               | 238:2                | 241:11               | 243:24               | 246:13               |
| <b>7:01:23PM (1)</b> | <b>7:03:37PM (1)</b> | <b>7:06:58PM (1)</b> | <b>7:09:42PM (1)</b> | <b>7:13:43PM (1)</b> |
| 235:16               | 238:4                | 241:13               | 243:25               | 246:14               |
| <b>7:01:33PM (1)</b> | <b>7:03:42PM (1)</b> | <b>7:07:09PM (1)</b> | <b>7:09:54PM (1)</b> | <b>7:13:45PM (1)</b> |
| 235:19               | 238:7                | 241:18               | 244:2                | 246:16               |
| <b>7:01:47PM (1)</b> | <b>7:03:45PM (1)</b> | <b>7:07:12PM (1)</b> | <b>7:09:55PM (1)</b> | <b>7:13:56PM (1)</b> |
| 235:23               | 238:9                | 241:20               | 244:3                | 246:20               |
| <b>7:01:59PM (1)</b> | <b>7:03:51PM (1)</b> | <b>7:07:14PM (1)</b> | <b>7:10:15PM (1)</b> | <b>7:14:12PM (1)</b> |
| 236:3                | 238:12               | 241:21               | 244:7                | 246:23               |
| <b>7:02:03PM (1)</b> | <b>7:03:53PM (1)</b> | <b>7:07:23PM (1)</b> | <b>7:10:32PM (1)</b> | <b>7:14:17PM (1)</b> |
| 236:6                | 238:14               | 241:24               | 244:8                | 247:2                |
| <b>7:02:04PM (1)</b> | <b>7:04:05PM (1)</b> | <b>7:07:24PM (1)</b> | <b>7:10:41PM (2)</b> | <b>7:14:19PM (1)</b> |
| 236:7                | 238:20               | 241:25               | 244:12,13            | 247:3                |
| <b>7:02:07PM (1)</b> | <b>7:04:11PM (1)</b> | <b>7:07:28PM (1)</b> | <b>7:10:46PM (1)</b> | <b>7:14:29PM (2)</b> |
| 236:9                | 238:22               | 242:4                | 244:15               | 247:7,8              |
| <b>7:02:09PM (1)</b> | <b>7:04:15PM (1)</b> | <b>7:07:29PM (1)</b> | <b>7:10:58PM (1)</b> | <b>7:14:31PM (1)</b> |
| 236:10               | 239:2                | 242:5                | 244:17               | 247:9                |
| <b>7:02:12PM (2)</b> | <b>7:04:17PM (1)</b> | <b>7:07:31PM (2)</b> | <b>7:11:21PM (1)</b> | <b>7:14:34PM (1)</b> |
| 236:12,13            | 239:3                | 242:6,7              | 244:22               | 247:10               |
| <b>7:02:14PM (1)</b> | <b>7:04:20PM (1)</b> | <b>7:07:33PM (1)</b> | <b>7:11:22PM (1)</b> | <b>7:14:36PM (1)</b> |
| 236:14               | 239:5                | 242:9                | 244:23               | 247:11               |
| <b>7:02:18PM (1)</b> | <b>7:04:28PM (1)</b> | <b>7:07:35PM (1)</b> | <b>7:11:30PM (1)</b> | <b>7:14:47PM (2)</b> |
| 236:16               | 239:7                | 242:10               | 244:25               | 247:16,17            |
| <b>7:02:21PM (1)</b> | <b>7:04:30PM (1)</b> | <b>7:07:43PM (1)</b> | <b>7:11:35PM (1)</b> | <b>7:14:50PM (1)</b> |
| 236:18               | 239:8                | 242:12               | 245:2                | 247:19               |
| <b>7:02:22PM (1)</b> | <b>7:04:37PM (1)</b> | <b>7:07:47PM (1)</b> | <b>7:11:39PM (2)</b> | <b>7:14:56PM (1)</b> |
| 236:19               | 239:11               | 242:13               | 245:4,5              | 247:21               |
| <b>7:02:23PM (1)</b> | <b>7:04:49PM (1)</b> | <b>7:07:53PM (1)</b> | <b>7:11:45PM (1)</b> | <b>7:15 (1)</b>      |
| 236:20               | 239:16               | 242:15               | 245:7                | 242:17               |
| <b>7:02:24PM (1)</b> | <b>7:05:07PM (1)</b> | <b>7:07:55PM (1)</b> | <b>7:11:52PM (1)</b> | <b>7:15:05PM (1)</b> |
| 236:21               | 239:24               | 242:16               | 245:8                | 247:25               |
| <b>7:02:32PM (1)</b> | <b>7:05:08PM (1)</b> | <b>7:08:21PM (1)</b> | <b>7:12:06PM (1)</b> | <b>7:15:06PM (1)</b> |
| 236:23               | 239:25               | 242:24               | 245:11               | 248:2                |
| <b>7:02:37PM (1)</b> | <b>7:05:13PM (1)</b> | <b>7:08:26PM (1)</b> | <b>7:12:16PM (1)</b> | <b>7:15:14PM (2)</b> |

|                      |                      |                      |                      |                      |
|----------------------|----------------------|----------------------|----------------------|----------------------|
| 248:5,6              | 251:4                | 253:17               | 256:7                | 258:13               |
| <b>7:15:21PM (1)</b> | <b>7:18:53PM (1)</b> | <b>7:22:27PM (1)</b> | <b>7:25:27PM (1)</b> | <b>7:28:00PM (1)</b> |
| 248:9                | 251:5                | 253:19               | 256:8                | 258:15               |
| <b>7:15:26PM (1)</b> | <b>7:18:54PM (1)</b> | <b>7:22:34PM (1)</b> | <b>7:25:31PM (1)</b> | <b>7:28:11PM (1)</b> |
| 248:10               | 251:6                | 253:21               | 256:9                | 258:17               |
| <b>7:15:31PM (1)</b> | <b>7:19:01PM (1)</b> | <b>7:22:37PM (1)</b> | <b>7:25:32PM (1)</b> | <b>7:28:25PM (1)</b> |
| 248:12               | 251:8                | 253:22               | 256:10               | 258:21               |
| <b>7:15:40PM (1)</b> | <b>7:19:05PM (1)</b> | <b>7:22:41PM (1)</b> | <b>7:25:34PM (1)</b> | <b>7:28:28PM (1)</b> |
| 248:16               | 251:9                | 253:24               | 256:11               | 258:23               |
| <b>7:15:41PM (1)</b> | <b>7:19:08PM (1)</b> | <b>7:22:48PM (1)</b> | <b>7:25:35PM (1)</b> | <b>7:28:33PM (1)</b> |
| 248:17               | 251:10               | 254:3                | 256:12               | 258:25               |
| <b>7:15:46PM (1)</b> | <b>7:19:14PM (2)</b> | <b>7:22:50PM (1)</b> | <b>7:25:46PM (1)</b> | <b>7:28:42PM (1)</b> |
| 248:18               | 251:11,12            | 254:4                | 256:17               | 259:4                |
| <b>7:15:51PM (1)</b> | <b>7:19:16PM (1)</b> | <b>7:22:54PM (1)</b> | <b>7:25:55PM (1)</b> | <b>7:28:44PM (1)</b> |
| 248:21               | 251:13               | 254:6                | 256:18               | 259:5                |
| <b>7:15:53PM (1)</b> | <b>7:19:18PM (1)</b> | <b>7:22:55PM (1)</b> | <b>7:25:59PM (1)</b> | <b>7:28:52PM (1)</b> |
| 248:23               | 251:14               | 254:7                | 256:20               | 259:8                |
| <b>7:16:05PM (1)</b> | <b>7:19:19PM (1)</b> | <b>7:23:00PM (2)</b> | <b>7:26:01PM (1)</b> | <b>7:28:57PM (1)</b> |
| 249:5                | 251:15               | 254:9,10             | 256:21               | 259:9                |
| <b>7:16:25PM (1)</b> | <b>7:19:26PM (1)</b> | <b>7:23:02PM (1)</b> | <b>7:26:22PM (1)</b> | <b>7:29:15PM (1)</b> |
| 249:6                | 251:16               | 254:11               | 257:4                | 259:14               |
| <b>7:16:36PM (1)</b> | <b>7:19:48PM (1)</b> | <b>7:23:05PM (1)</b> | <b>7:26:27PM (1)</b> | <b>7:29:17PM (1)</b> |
| 249:10               | 251:20               | 254:12               | 257:6                | 259:15               |
| <b>7:16:39PM (1)</b> | <b>7:19:56PM (1)</b> | <b>7:23:18PM (1)</b> | <b>7:26:39PM (1)</b> | <b>7:29:19PM (1)</b> |
| 249:11               | 251:23               | 254:15               | 257:9                | 259:16               |
| <b>7:16:51PM (1)</b> | <b>7:19:58PM (1)</b> | <b>7:23:19PM (1)</b> | <b>7:26:43PM (1)</b> | <b>7:29:33PM (1)</b> |
| 249:15               | 251:24               | 254:16               | 257:11               | 259:20               |
| <b>7:16:56PM (1)</b> | <b>7:20:09PM (1)</b> | <b>7:23:23PM (1)</b> | <b>7:26:47PM (1)</b> | <b>7:29:34PM (1)</b> |
| 249:16               | 252:3                | 254:17               | 257:13               | 259:21               |
| <b>7:17:16PM (1)</b> | <b>7:20:25PM (1)</b> | <b>7:23:44PM (1)</b> | <b>7:26:52PM (1)</b> | <b>7:29:36PM (1)</b> |
| 249:21               | 252:6                | 254:20               | 257:14               | 259:22               |
| <b>7:17:18PM (1)</b> | <b>7:20:49PM (1)</b> | <b>7:23:46PM (1)</b> | <b>7:26:54PM (1)</b> | <b>7:29:37PM (1)</b> |
| 249:23               | 252:13               | 254:21               | 257:16               | 259:23               |
| <b>7:17:35PM (1)</b> | <b>7:21:20PM (1)</b> | <b>7:23:49PM (1)</b> | <b>7:26:59PM (1)</b> | <b>7:29:40PM (1)</b> |
| 250:4                | 252:14               | 254:22               | 257:18               | 259:25               |
| <b>7:17:36PM (1)</b> | <b>7:21:23PM (1)</b> | <b>7:23:51PM (1)</b> | <b>7:27:00PM (1)</b> | <b>7:29:43PM (1)</b> |
| 250:5                | 252:16               | 254:23               | 257:19               | 260:2                |
| <b>7:17:38PM (1)</b> | <b>7:21:31PM (1)</b> | <b>7:23:52PM (1)</b> | <b>7:27:03PM (1)</b> | <b>7:29:45PM (1)</b> |
| 250:7                | 252:19               | 254:24               | 257:21               | 260:3                |
| <b>7:17:42PM (1)</b> | <b>7:21:37PM (1)</b> | <b>7:24:02PM (2)</b> | <b>7:27:04PM (1)</b> | <b>7:29:49PM (1)</b> |
| 250:8                | 252:22               | 255:3,4              | 257:22               | 260:4                |
| <b>7:18:02PM (1)</b> | <b>7:21:46PM (1)</b> | <b>7:24:15PM (1)</b> | <b>7:27:05PM (1)</b> | <b>7:29:51PM (1)</b> |
| 250:11               | 253:2                | 255:9                | 257:23               | 260:5                |
| <b>7:18:08PM (1)</b> | <b>7:21:47PM (1)</b> | <b>7:24:23PM (1)</b> | <b>7:27:25PM (1)</b> | <b>7:29:54PM (2)</b> |
| 250:14               | 253:3                | 255:13               | 257:24               | 260:7,8              |
| <b>7:18:12PM (1)</b> | <b>7:21:59PM (1)</b> | <b>7:24:25PM (1)</b> | <b>7:27:32PM (1)</b> | <b>7:29:55PM (1)</b> |
| 250:16               | 253:6                | 255:14               | 258:3                | 260:9                |
| <b>7:18:13PM (1)</b> | <b>7:22:01PM (1)</b> | <b>7:24:38PM (1)</b> | <b>7:27:33PM (1)</b> | <b>7:30:00PM (1)</b> |
| 250:17               | 253:8                | 255:17               | 258:4                | 260:11               |
| <b>7:18:15PM (1)</b> | <b>7:22:02PM (1)</b> | <b>7:24:49PM (1)</b> | <b>7:27:43PM (1)</b> | <b>7:30:05PM (1)</b> |
| 250:18               | 253:9                | 255:18               | 258:5                | 260:13               |
| <b>7:18:31PM (1)</b> | <b>7:22:12PM (1)</b> | <b>7:25:02PM (1)</b> | <b>7:27:49PM (1)</b> | <b>7:30:07PM (1)</b> |
| 250:22               | 253:13               | 255:23               | 258:8                | 260:14               |
| <b>7:18:32PM (1)</b> | <b>7:22:16PM (1)</b> | <b>7:25:14PM (1)</b> | <b>7:27:51PM (1)</b> | <b>7:30:08PM (1)</b> |
| 250:23               | 253:15               | 256:3                | 258:10               | 260:15               |
| <b>7:18:36PM (1)</b> | <b>7:22:20PM (1)</b> | <b>7:25:20PM (1)</b> | <b>7:27:53PM (2)</b> | <b>7:30:10PM (1)</b> |
| 250:25               | 253:16               | 256:6                | 258:11,12            | 260:16               |
| <b>7:18:51PM (1)</b> | <b>7:22:22PM (1)</b> | <b>7:25:26PM (1)</b> | <b>7:27:56PM (1)</b> | <b>7:30:17PM (1)</b> |

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|----------------------|----------------------|----------------------|----------------------|----------------------|
| 260:19               | 263:6                | 265:17               | 267:22               | 269:24               |
| <b>7:30:19PM (2)</b> | <b>7:32:42PM (1)</b> | <b>7:34:58PM (1)</b> | <b>7:36:58PM (1)</b> | <b>7:39:11PM (1)</b> |
| 260:20,21            | 263:7                | 265:19               | 267:25               | 270:2                |
| <b>7:30:21PM (1)</b> | <b>7:32:48PM (1)</b> | <b>7:35:01PM (1)</b> | <b>7:37:01PM (1)</b> | <b>7:39:16PM (1)</b> |
| 260:22               | 263:9                | 265:20               | 268:2                | 270:4                |
| <b>7:30:22PM (1)</b> | <b>7:32:55PM (1)</b> | <b>7:35:04PM (1)</b> | <b>7:37:02PM (1)</b> | <b>7:39:17PM (1)</b> |
| 260:23               | 263:12               | 265:22               | 268:3                | 270:5                |
| <b>7:30:23PM (1)</b> | <b>7:32:58PM (2)</b> | <b>7:35:07PM (1)</b> | <b>7:37:14PM (1)</b> | <b>7:39:23PM (2)</b> |
| 260:24               | 263:14,15            | 265:24               | 268:7                | 270:8,9              |
| <b>7:30:24PM (1)</b> | <b>7:33:03PM (1)</b> | <b>7:35:11PM (1)</b> | <b>7:37:27PM (1)</b> | <b>7:39:31PM (1)</b> |
| 260:25               | 263:17               | 265:25               | 268:8                | 270:12               |
| <b>7:30:26PM (1)</b> | <b>7:33:04PM (1)</b> | <b>7:35:13PM (1)</b> | <b>7:37:31PM (1)</b> | <b>7:39:37PM (1)</b> |
| 261:2                | 263:18               | 266:2                | 268:11               | 270:13               |
| <b>7:30:27PM (1)</b> | <b>7:33:10PM (1)</b> | <b>7:35:20PM (1)</b> | <b>7:37:33PM (1)</b> | <b>7:39:39PM (1)</b> |
| 261:3                | 263:20               | 266:5                | 268:12               | 270:14               |
| <b>7:30:47PM (1)</b> | <b>7:33:14PM (1)</b> | <b>7:35:23PM (1)</b> | <b>7:37:38PM (1)</b> | <b>7:39:40PM (1)</b> |
| 261:8                | 263:22               | 266:6                | 268:13               | 270:15               |
| <b>7:30:48PM (1)</b> | <b>7:33:19PM (1)</b> | <b>7:35:41PM (1)</b> | <b>7:37:48PM (1)</b> | <b>7:39:45PM (1)</b> |
| 261:9                | 263:24               | 266:9                | 268:16               | 270:16               |
| <b>7:30:55PM (2)</b> | <b>7:33:23PM (1)</b> | <b>7:35:44PM (1)</b> | <b>7:37:49PM (1)</b> | <b>7:39:48PM (1)</b> |
| 261:12,13            | 264:2                | 266:11               | 268:17               | 270:17               |
| <b>7:31:09PM (2)</b> | <b>7:33:25PM (2)</b> | <b>7:35:45PM (1)</b> | <b>7:37:51PM (1)</b> | <b>7:39:56PM (1)</b> |
| 261:17,18            | 264:4,5              | 266:12               | 268:18               | 270:20               |
| <b>7:31:14PM (1)</b> | <b>7:33:30PM (1)</b> | <b>7:35:47PM (1)</b> | <b>7:37:52PM (1)</b> | <b>7:40:01PM (1)</b> |
| 261:20               | 264:7                | 266:14               | 268:19               | 270:21               |
| <b>7:31:21PM (1)</b> | <b>7:33:37PM (1)</b> | <b>7:35:48PM (1)</b> | <b>7:37:59PM (1)</b> | <b>7:40:02PM (1)</b> |
| 261:21               | 264:9                | 266:16               | 268:21               | 270:22               |
| <b>7:31:27PM (1)</b> | <b>7:33:51PM (1)</b> | <b>7:36:02PM (1)</b> | <b>7:38:02PM (1)</b> | <b>7:40:04PM (1)</b> |
| 261:25               | 264:12               | 266:22               | 268:22               | 270:23               |
| <b>7:31:28PM (1)</b> | <b>7:34:02PM (1)</b> | <b>7:36:03PM (1)</b> | <b>7:38:05PM (1)</b> | <b>7:40:07PM (1)</b> |
| 262:2                | 264:16               | 266:23               | 268:24               | 270:25               |
| <b>7:31:36PM (1)</b> | <b>7:34:05PM (1)</b> | <b>7:36:04PM (1)</b> | <b>7:38:09PM (1)</b> | <b>7:40:12PM (1)</b> |
| 262:3                | 264:17               | 266:24               | 269:2                | 271:4                |
| <b>7:31:51PM (1)</b> | <b>7:34:06PM (2)</b> | <b>7:36:05PM (1)</b> | <b>7:38:15PM (1)</b> | <b>7:40:13PM (1)</b> |
| 262:9                | 264:18,19            | 266:25               | 269:4                | 271:5                |
| <b>7:31:52PM (1)</b> | <b>7:34:08PM (1)</b> | <b>7:36:06PM (1)</b> | <b>7:38:16PM (1)</b> | <b>7:40:15PM (1)</b> |
| 262:10               | 264:20               | 267:2                | 269:5                | 271:6                |
| <b>7:31:59PM (1)</b> | <b>7:34:10PM (1)</b> | <b>7:36:08PM (1)</b> | <b>7:38:31PM (1)</b> | <b>7:40:17PM (1)</b> |
| 262:12               | 264:21               | 267:3                | 269:7                | 271:7                |
| <b>7:32:01PM (1)</b> | <b>7:34:18PM (1)</b> | <b>7:36:14PM (1)</b> | <b>7:38:34PM (2)</b> | <b>7:40:22PM (1)</b> |
| 262:13               | 264:24               | 267:5                | 269:8,9              | 271:10               |
| <b>7:32:04PM (1)</b> | <b>7:34:20PM (1)</b> | <b>7:36:18PM (1)</b> | <b>7:38:37PM (1)</b> | <b>7:40:25PM (2)</b> |
| 262:14               | 264:25               | 267:6                | 269:11               | 271:12,13            |
| <b>7:32:06PM (1)</b> | <b>7:34:21PM (1)</b> | <b>7:36:20PM (1)</b> | <b>7:38:38PM (1)</b> | <b>7:40:28PM (1)</b> |
| 262:15               | 265:2                | 267:7                | 269:12               | 271:14               |
| <b>7:32:13PM (1)</b> | <b>7:34:30PM (1)</b> | <b>7:36:23PM (1)</b> | <b>7:38:39PM (1)</b> | <b>7:40:33PM (1)</b> |
| 262:19               | 265:5                | 267:8                | 269:13               | 271:16               |
| <b>7:32:16PM (1)</b> | <b>7:34:35PM (1)</b> | <b>7:36:34PM (1)</b> | <b>7:38:46PM (1)</b> | <b>7:40:37PM (1)</b> |
| 262:20               | 265:6                | 267:12               | 269:15               | 271:18               |
| <b>7:32:20PM (1)</b> | <b>7:34:38PM (1)</b> | <b>7:36:35PM (1)</b> | <b>7:38:48PM (1)</b> | <b>7:40:38PM (1)</b> |
| 262:22               | 265:8                | 267:13               | 269:16               | 271:19               |
| <b>7:32:29PM (1)</b> | <b>7:34:42PM (1)</b> | <b>7:36:48PM (1)</b> | <b>7:38:52PM (1)</b> | <b>7:40:41PM (1)</b> |
| 262:25               | 265:9                | 267:17               | 269:18               | 271:20               |
| <b>7:32:33PM (1)</b> | <b>7:34:43PM (1)</b> | <b>7:36:49PM (2)</b> | <b>7:38:59PM (1)</b> | <b>7:40:50PM (1)</b> |
| 263:2                | 265:10               | 267:18,19            | 269:22               | 271:21               |
| <b>7:32:38PM (1)</b> | <b>7:34:54PM (2)</b> | <b>7:36:51PM (2)</b> | <b>7:39:00PM (1)</b> | <b>7:40:57PM (1)</b> |
| 263:5                | 265:15,16            | 267:20,21            | 269:23               | 271:24               |
| <b>7:32:40PM (1)</b> | <b>7:34:56PM (1)</b> | <b>7:36:53PM (1)</b> | <b>7:39:01PM (1)</b> | <b>7:41:02PM (1)</b> |

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|----------------------|----------------------|----------------------|----------------------|----------------------|
| 272:2                | 274:10,11            | 276:11               | 278:14               | 281:4,5              |
| <b>7:41:03PM (1)</b> | <b>7:43:17PM (1)</b> | <b>7:45:22PM (1)</b> | <b>7:47:05PM (1)</b> | <b>7:50:37PM (1)</b> |
| 272:3                | 274:12               | 276:15               | 278:15               | 281:6                |
| <b>7:41:06PM (1)</b> | <b>7:43:19PM (1)</b> | <b>7:45:23PM (1)</b> | <b>7:47:15PM (1)</b> | <b>7:50:49PM (1)</b> |
| 272:5                | 274:13               | 276:16               | 278:16               | 281:7                |
| <b>7:41:07PM (1)</b> | <b>7:43:20PM (1)</b> | <b>7:45:25PM (1)</b> | <b>7:47:20PM (1)</b> | <b>7:50:55PM (1)</b> |
| 272:6                | 274:14               | 276:17               | 278:18               | 281:8                |
| <b>7:41:18PM (1)</b> | <b>7:43:27PM (1)</b> | <b>7:45:31PM (1)</b> | <b>7:47:38PM (1)</b> | <b>7:50:58PM (1)</b> |
| 272:9                | 274:17               | 276:19               | 278:22               | 281:9                |
| <b>7:41:23PM (1)</b> | <b>7:43:28PM (1)</b> | <b>7:45:43PM (1)</b> | <b>7:47:41PM (1)</b> | <b>7:50:59PM (1)</b> |
| 272:11               | 274:18               | 276:24               | 278:23               | 281:10               |
| <b>7:41:26PM (1)</b> | <b>7:43:29PM (1)</b> | <b>7:45:49PM (1)</b> | <b>7:48:10PM (1)</b> | <b>7:51:00PM (1)</b> |
| 272:12               | 274:19               | 276:25               | 279:7                | 281:11               |
| <b>7:41:31PM (1)</b> | <b>7:43:32PM (1)</b> | <b>7:45:52PM (1)</b> | <b>7:48:14PM (2)</b> | <b>7:51:05PM (1)</b> |
| 272:15               | 274:21               | 277:2                | 279:9,10             | 281:12               |
| <b>7:41:32PM (1)</b> | <b>7:43:33PM (1)</b> | <b>7:45:55PM (1)</b> | <b>7:48:27PM (1)</b> | <b>7:51:14PM (1)</b> |
| 272:16               | 274:22               | 277:3                | 279:12               | 281:15               |
| <b>7:41:33PM (1)</b> | <b>7:43:34PM (1)</b> | <b>7:45:56PM (1)</b> | <b>7:48:30PM (1)</b> | <b>7:51:18PM (1)</b> |
| 272:17               | 274:23               | 277:4                | 279:14               | 281:17               |
| <b>7:41:35PM (2)</b> | <b>7:43:39PM (1)</b> | <b>7:45:57PM (1)</b> | <b>7:48:53PM (1)</b> | <b>7:51:20PM (1)</b> |
| 272:18,19            | 274:25               | 277:5                | 279:15               | 281:19               |
| <b>7:41:36PM (1)</b> | <b>7:43:46PM (1)</b> | <b>7:45:59PM (2)</b> | <b>7:49:03PM (1)</b> | <b>7:51:24PM (1)</b> |
| 272:20               | 275:4                | 277:6,7              | 279:19               | 281:22               |
| <b>7:41:37PM (1)</b> | <b>7:43:48PM (1)</b> | <b>7:46:01PM (1)</b> | <b>7:49:12PM (1)</b> | <b>7:51:29PM (1)</b> |
| 272:21               | 275:5                | 277:8                | 279:20               | 281:23               |
| <b>7:41:42PM (1)</b> | <b>7:43:57PM (1)</b> | <b>7:46:02PM (1)</b> | <b>7:49:14PM (1)</b> | <b>7:51:30PM (1)</b> |
| 272:23               | 275:6                | 277:9                | 279:21               | 281:24               |
| <b>7:41:46PM (1)</b> | <b>7:43:59PM (1)</b> | <b>7:46:07PM (1)</b> | <b>7:49:22PM (1)</b> | <b>7:51:36PM (2)</b> |
| 272:25               | 275:7                | 277:10               | 279:25               | 282:3,4              |
| <b>7:41:47PM (1)</b> | <b>7:44:03PM (1)</b> | <b>7:46:10PM (2)</b> | <b>7:49:28PM (1)</b> | <b>7:51:48PM (1)</b> |
| 273:2                | 275:9                | 277:11,12            | 280:2                | 282:10               |
| <b>7:41:53PM (1)</b> | <b>7:44:04PM (2)</b> | <b>7:46:11PM (1)</b> | <b>7:49:30PM (1)</b> | <b>7:51:49PM (1)</b> |
| 273:4                | 275:10,11            | 277:13               | 280:4                | 282:11               |
| <b>7:42:02PM (2)</b> | <b>7:44:08PM (1)</b> | <b>7:46:12PM (1)</b> | <b>7:49:32PM (1)</b> | <b>7:51:50PM (1)</b> |
| 273:8,9              | 275:13               | 277:14               | 280:6                | 282:12               |
| <b>7:42:03PM (1)</b> | <b>7:44:10PM (1)</b> | <b>7:46:13PM (2)</b> | <b>7:49:45PM (1)</b> | <b>7:52:00PM (1)</b> |
| 273:10               | 275:15               | 277:15,16            | 280:11               | 282:14               |
| <b>7:42:05PM (1)</b> | <b>7:44:14PM (1)</b> | <b>7:46:14PM (1)</b> | <b>7:49:55PM (1)</b> | <b>7:52:22PM (1)</b> |
| 273:12               | 275:16               | 277:17               | 280:15               | 282:20               |
| <b>7:42:06PM (1)</b> | <b>7:44:16PM (1)</b> | <b>7:46:23PM (2)</b> | <b>7:49:56PM (1)</b> | <b>7:52:24PM (1)</b> |
| 273:13               | 275:18               | 277:21,22            | 280:16               | 282:21               |
| <b>7:42:11PM (1)</b> | <b>7:44:19PM (1)</b> | <b>7:46:26PM (1)</b> | <b>7:49:58PM (1)</b> | <b>7:52:25PM (1)</b> |
| 273:16               | 275:19               | 277:23               | 280:17               | 282:22               |
| <b>7:42:14PM (1)</b> | <b>7:44:23PM (1)</b> | <b>7:46:30PM (1)</b> | <b>7:50:09PM (1)</b> | <b>7:52:36PM (1)</b> |
| 273:17               | 275:20               | 277:25               | 280:18               | 283:2                |
| <b>7:42:30PM (1)</b> | <b>7:44:26PM (1)</b> | <b>7:46:32PM (1)</b> | <b>7:50:12PM (1)</b> | <b>7:52:48PM (1)</b> |
| 273:20               | 275:22               | 278:2                | 280:20               | 283:6                |
| <b>7:42:31PM (1)</b> | <b>7:44:28PM (1)</b> | <b>7:46:47PM (1)</b> | <b>7:50:16PM (1)</b> | <b>7:52:50PM (1)</b> |
| 273:21               | 275:23               | 278:7                | 280:21               | 283:7                |
| <b>7:42:44PM (2)</b> | <b>7:44:56PM (1)</b> | <b>7:46:48PM (1)</b> | <b>7:50:17PM (1)</b> | <b>7:52:53PM (1)</b> |
| 273:25 274:2         | 275:24               | 278:8                | 280:22               | 283:8                |
| <b>7:42:56PM (1)</b> | <b>7:45:04PM (1)</b> | <b>7:46:53PM (1)</b> | <b>7:50:24PM (1)</b> | <b>7:52:55PM (1)</b> |
| 274:5                | 276:4                | 278:10               | 280:25               | 283:9                |
| <b>7:43:00PM (1)</b> | <b>7:45:06PM (1)</b> | <b>7:46:56PM (1)</b> | <b>7:50:27PM (1)</b> | <b>7:52:59PM (1)</b> |
| 274:6                | 276:6                | 278:11               | 281:2                | 283:10               |
| <b>7:43:07PM (1)</b> | <b>7:45:09PM (2)</b> | <b>7:46:58PM (1)</b> | <b>7:50:28PM (1)</b> | <b>7:53:09PM (1)</b> |
| 274:7                | 276:8,9              | 278:12               | 281:3                | 283:14               |
| <b>7:43:15PM (2)</b> | <b>7:45:12PM (1)</b> | <b>7:47:04PM (1)</b> | <b>7:50:32PM (2)</b> | <b>7:53:12PM (1)</b> |

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| 283:16               | 286:23               | <b>8:00:58PM (1)</b>  |  |
| <b>7:53:13PM (1)</b> | <b>7:57:35PM (1)</b> | 289:16                |  |
| 283:17               | 287:3                | <b>8:00:59PM (1)</b>  |  |
| <b>7:53:14PM (1)</b> | <b>7:57:40PM (1)</b> | 289:17                |  |
| 283:18               | 287:5                | <b>8:01 (1)</b>       |  |
| <b>7:53:20PM (1)</b> | <b>7:57:55PM (1)</b> | 290:16                |  |
| 283:21               | 287:8                | <b>8:01:12PM (1)</b>  |  |
| <b>7:53:34PM (1)</b> | <b>7:58:01PM (1)</b> | 289:21                |  |
| 283:24               | 287:9                | <b>8:01:14PM (1)</b>  |  |
| <b>7:54:02PM (1)</b> | <b>7:58:12PM (1)</b> | 289:22                |  |
| 284:8                | 287:13               | <b>8:01:15PM (1)</b>  |  |
| <b>7:54:09PM (1)</b> | <b>7:58:14PM (1)</b> | 289:23                |  |
| 284:11               | 287:14               | <b>8:01:17PM (1)</b>  |  |
| <b>7:54:10PM (2)</b> | <b>7:58:24PM (1)</b> | 290:2                 |  |
| 284:12,13            | 287:18               | <b>8:01:18PM (1)</b>  |  |
| <b>7:54:13PM (1)</b> | <b>7:58:27PM (1)</b> | 290:3                 |  |
| 284:15               | 287:19               | <b>8:01:26PM (1)</b>  |  |
| <b>7:54:14PM (1)</b> | <b>7:58:39PM (1)</b> | 290:7                 |  |
| 284:16               | 287:21               | <b>8:01:30PM (1)</b>  |  |
| <b>7:54:18PM (1)</b> | <b>7:58:53PM (1)</b> | 290:8                 |  |
| 284:18               | 287:24               | <b>8:01:31PM (1)</b>  |  |
| <b>7:54:19PM (1)</b> | <b>7:58:55PM (1)</b> | 290:9                 |  |
| 284:19               | 287:25               | <b>8:01:35PM (1)</b>  |  |
| <b>7:54:20PM (1)</b> | <b>7:58:58PM (1)</b> | 290:11                |  |
| 284:20               | 288:3                | <b>8:01:38PM (2)</b>  |  |
| <b>7:54:41PM (1)</b> | <b>7:59:02PM (1)</b> | 103:2 290:13          |  |
| 284:25               | 288:4                | <b>8:01:40PM (1)</b>  |  |
| <b>7:55:11PM (1)</b> | <b>7:59:06PM (1)</b> | 290:14                |  |
| 285:7                | 288:6                | <b>8:01:42PM (10)</b> |  |
| <b>7:55:32PM (1)</b> | <b>7:59:09PM (1)</b> | 103:4 290:16,17,18    |  |
| 285:10               | 288:7                | 290:19,19,20,20,21    |  |
| <b>7:55:42PM (1)</b> | <b>7:59:19PM (1)</b> | 290:22                |  |
| 285:14               | 288:9                | <b>8:30 (1)</b>       |  |
| <b>7:55:49PM (1)</b> | <b>7:59:46PM (1)</b> | 80:8                  |  |
| 285:16               | 288:17               | <b>82 (1)</b>         |  |
| <b>7:55:55PM (1)</b> | <b>7:59:51PM (1)</b> | 292:21                |  |
| 285:18               | 288:19               | <b>85 (1)</b>         |  |
| <b>7:55:57PM (1)</b> | <b>7:59:57PM (1)</b> | 3:5                   |  |
| 285:19               | 288:20               |                       |  |
| <b>7:56:09PM (1)</b> | <b>73 (1)</b>        | <b>9</b>              |  |
| 285:22               | 292:19               |                       |  |
| <b>7:56:16PM (1)</b> |                      | <b>9 (9)</b>          |  |
| 285:25               |                      | 40:19,19,20 78:17     |  |
| <b>7:56:17PM (1)</b> |                      | 134:9 138:4,8,14      |  |
| 286:2                |                      | 293:4                 |  |
| <b>7:56:25PM (1)</b> | 135:21 136:4,11      | <b>9-to-5 (2)</b>     |  |
| 286:5                | 292:4,23             | 191:2 285:20          |  |
| <b>7:56:27PM (1)</b> | <b>8:00 (3)</b>      | <b>9:00 (2)</b>       |  |
| 286:6                | 42:15 191:3 242:21   | 40:22 80:9            |  |
| <b>7:56:34PM (1)</b> | <b>8:00:06PM (1)</b> | <b>925 (3)</b>        |  |
| 286:10               | 288:23               | 73:4,6 292:20         |  |
| <b>7:56:35PM (1)</b> | <b>8:00:23PM (1)</b> | <b>926 (6)</b>        |  |
| 286:11               | 289:3                | 2:2,14 3:21 63:19,21  |  |
| <b>7:56:39PM (1)</b> | <b>8:00:42PM (1)</b> | 292:16                |  |
| 286:12               | 289:9                | <b>99 (2)</b>         |  |
| <b>7:57:04PM (1)</b> | <b>8:00:55PM (1)</b> | 154:9,13              |  |
| 286:16               | 289:14               |                       |  |
| <b>7:57:20PM (1)</b> | <b>8:00:56PM (1)</b> |                       |  |
|                      | 289:15               |                       |  |